

Reserved on : 10.03.2026

Pronounced on : 07.07.2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 07th DAY OF JULY, 2026

PRESENT

THE HON'BLE MR. JUSTICE S.G.PANDIT

AND

THE HON'BLE MR. JUSTICE K. V. ARAVIND

WRIT PETITION NO. 56178 OF 2018 (S-KSAT)

BETWEEN:

1. RAMESHA B T
AGED ABOUT 39 YEARS,
S/O LATE THIMMARAYAPPA,
R/O BINNAMANGALA,
ARISHINAKUNTE POST,
NELAMANGALA TALUK,
BANGALORE RURAL DISTRICT – 562 123
2. BALASWAMY P.,
AGED ABOUT 30 YEARS,
S/O PRASADAPPA,
R/O KUPPE DODDI,
YELAGALLI POST,
KANAKPURA TALUK,
RAMANAGAR DISTRICT – 562 160
3. ASHOK KUMAR M J
AGED ABOUT 41 YEARS,
S/O JAVARAIAH D,
MUDDANAHALLI,
KEREGODU POST,
HOLENARSIPURA TALUK,
HASSAN DISTRICT – 573 211



4. ANURADHA K
AGED ABOUT 36 YEARS,
D/O KRISHNAPPA N,
D.NO.12,
1ST CROSS, M.S.R. COLLEGE ROAD,
MATHIKERE, BANGALORE – 560 054
5. LATHAMBA C
AGED ABOUT 40 YEARS,
W/O RANGASWAMY R,
R/AT NO.180/53, 4TH ACROSS,
CHOWDESHWARINAGAR,
LAGGERE, BANGALORE – 560 058
6. KAVITHA N
AGED ABOUT 33 YEARS,
W/O DIWAKARA,
JALAHALLI, SINGANAHALLI POST,
KODUGENAHALLI HOBLI,
MADHUGIRI TALUK,
TUMKUR DISTRICT – 562 127
7. RANI KUMARI B N
AGED ABOUT 39 YEARS,
D/O NINGEGOWDA,
NO.63, MADHU NILYAD,
HANUMANTHAPPA LAYOUT,
MALLATHAHALLI,
BANGALORE – 560 056
8. RAMU G R
AGED ABOUT 35 YEARS,
S/O RAMACHANDRAPPA,
GOWDETTY POST,
PAVAGADA TALUK,
TUMKUR DISTRICT – 561 202
9. SHILPA K G
AGED ABOUT 29 YEARS,
D/O GANESHA K N,
M.K.ROAD, KONANDUR,
THIRTHAHALLI,
SHIVAMOGGA DISTRICT – 561 202

10. NAGARAJA S D
AGED ABOUT 39 YEARS,
S/O DODDAHUCHANNA,
SIDDAPURA VILLAGE POST,
Y N HOSKOTE HOBLI,
PAVAGADA TALUK,
TUMKUR DISTRICT – 572 141
11. SRINIVASA T
AGED ABOUT 39 YEARS,
S/O THIMMAPPA,
MALHAL VILLAGE,
CHENNAGIRI TALUK,
DAVANAGERE DISTRICT – 577 215
12. MANJU H S
AGED ABOUT 31 YEARS,
W/O MANJUNATHA P H,
R/O NEAR WATER TANK,
PALAHAGRAHARA ROAD,
TB EXTENSION, NAGAMANGALA,
NAGAMANGALA TALUK,
MANDYA DISTRICT – 571 432

...PETITIONERS

(BY SRI. VIJAYA KUMAR, ADVOCATE)

AND:

1. STATE OF KARNATAKA
BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF PERSONNEL &
ADMINISTRATIVE REFORMS,
VIDHANA SOUDHA,
BANGALORE – 560 001.
2. THE STATE OF KARNATAKA
BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF PRIMARY & SECONDARY
EDUCATION, M.S. BUILDING,
BANGALORE – 560 001.

3. THE COMMISSIONER
DEPARTMENT OF PUBLIC INSTRUCTIONS,
NRUPATUNGA ROAD,
BANGALORE – 560 001.
4. THE DIRECTOR
DEPARTMENT OF PUBLIC INSTRUCTIONS,
NRUPATUNGA ROAD,
BANGALORE – 560 001.
5. SELECTION AUTHORITY
& DEPUTY DIRECTOR OF
PUBLIC INSTRUCTIONS, (ADMINISTRATION)
RAMANAGARA DISTRICT,
RAMANAGARA – 562 159
6. CENTRALISED ADMISSION CELL
BY ITS SPECIAL OFFICER,
K.G. ROAD,
OPPOSITE: CAUVERY BHAVAN,
BENGALURU - 560 002.
7. MARUTHI K R
AGED ABOUT 28 YEARS,
S/O RAMAKRISHNAPPA,
R/O KOLLOGANAHALLI VILLAGE AND POST,
HAROVALLI, KAMAKAPURA TALUK,
RAMANAGARA DISTRICT – 562 112
8. RAVISHA K B
AGED ABOUT 36 YEARS,
S/O BASAVARAJAPPA K C,
FIRST CAMP ROAD,
R/O BYLAKUPPEAT POST,
PIRIYAPATNA TALUK,
MYSORE DISTRICT – 571 104
9. SELECTION AUTHORITY
& DEPUTY DIRECTOR OF PUBLIC
INSTRUCTIONS (ADMINISTRATION),
CHIKKABALLAPUR DISTRICT,
CHIKKABALLAPURA – 562 101.

10. GANGAPPA V
AGED ABOUT 35 YEARS,
S/O VENKATESHAPPA,
C/O CHENNAPPA NEAR CHURCH,
D.V.M. COLONY DEVANAHALLI,
BANGALORE RURAL – 562 110
11. GOPALA NAIK V
AGED ABOUT 30 YEARS,
S/O VENKATA NAIK,
R/O VEERAMMANAHALLI,
PALAVALI POST, PAVGADA TALUK,
TUMKUR DISTRICT – 572 136
12. SELECTION AUTHORITY &
DEPUTY DIRECTOR OF PUBLIC INSTRUCTIONS,
BANGALORE NORTH DISTRICT,
K.G.ROAD,
BANGALORE – 560 002
13. SELECTION AUTHORITY
& DEPUTY DIRECTOR OF PUBLIC INSTRUCTIONS,
BANGALORE SOUTH DISTRICT,
KALASIPALYA,
BANGALORE – 560 002
14. RAJASHREE KOTABAGI
AGE MAJOR,
D/O MALLANNA KOTABAGI,
NO.326, 1ST FLOOR, BAGIRATHI NILAYA,
12TH B CROSS, 2ND STAGE,
WEST OF CHORD ROAD,
MAHALAKSHMI PURAM,
BANGALORE – 560 086
15. VIRUPAKSHI R
AGED ABOUT 32 YEARS,
W/O RAMESH H,
R/O BADAMARANAHALLI,
SIRA TALUK,
TUMKUR DISTRICT – 572 113

16. UMADEVI J B
AGED ABOUT 33 YEARS,
D/O JAYARAME GOWDA M,
R/O HIRE DODDAVADI,
URUDIGERE HOBLI,
TUMKUR DISTRICT – 572 140
17. SELECTION AUTHORITY & DEPUTY
DIRECTOR OF PUBLIC INSTRUCTIONS,
(ADMINISTRATION),
SIRSI,
UTTARAKANNADA DISTRICT – 581 402
18. KARILINGEGOWDA
AGED ABOUT 30 YEARS,
S/O KENJADIYAPPA,
C/O CHANDRANNA, KAPPARAHALLI VILLAGE
AND POST, CHALLAKERE,
CHITRADURGA DISTRICT – 577 522
19. ROHIDASA T MADIWALA
AGED ABOUT 26 YEARS,
S/O THIMMAMADIWAL,
HITHALAKOPPA, KAVANCHUR,
SIDDAPUR TALUK,
UTTARA KANNADA DISTRICT – 581 355
20. DEPUTY DIRECTOR OF PUBLIC INSTRUCTIONS
(ADMINISTRATION)
MADHUGIRI EDUCATION DISTRICT,
MADHUGIRI – 562 159
TUMKUR DISTRICT.
21. SELECTION AUTHORITY
& DEPUTY DIRECTOR OF PUBLIC INSTRUCTIONS,
MADHUGIRI EDUCATION DISTRICT,
MADHUGIRI – 562 159
TUMKUR DISTRICT.
22. SHASHIKUMAR T
AGED ABOUT 33 YEARS,
S/O THOPANNA,
R/O S.R. NAGAR,
KADAPA POST,

GUBBI TALUK,
TUMKUR DISTRICT – 572 219

23. SELECTION AUTHORITY
& DEPUTY DIRECTOR OF
PUBLIC INSTRUCTIONS (ADMINISTRATION)
MANDYA DISTRICT – 571 401

24. BHAGYASHREE H B
AGED ABOUT 31 YEARS,
W/O KRUPESH D H,
R/AT NO.D5, SES QUARTERS,
K.M.DODDI,
MADDUR TALUK,
MANDYA DISTRICT – 571 422

...RESPONDENTS

(BY SRI. I THARANATH POOJARY, AAG A/W
SRI. K.R. RAJENDRA, AGA FOR R1 TO R6, R9, R12, R13,
R17, R20, R21 TO R23;
SRI. N.S. NARASIMHASWAMY, ADVOCATE FOR R16;

R7, R8, R10, R11, R14, R15, R16, R18, R19,
R22, R24 – SERVED. UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE NOTIFICATION DATED 26.11.2015 ENCLOSED AS
ANNEXURE-B IN SO FAR AS THE PETITIONERS IN THE FIRST
WRIT PETITION ARE CONCERNED; QUASH THE NOTIFICATION
DATED 26.11.2015 ENCLOSED AS ANNEXURE-B1 IN SO FAR AS
THE PETITIONERS IN THE SECOND WRIT PETITION ARE
CONCERNED; AND ETC,.

THIS PETITION HAVING BEEN HEARD AND RESERVED
FOR ORDERS, COMING ON FOR PRONOUNCEMENT THIS DAY,
K.V. ARAVIND J., PASSED THE FOLLOWING:-

CORAM: HON'BLE MR. JUSTICE S.G.PANDIT
and
HON'BLE MR. JUSTICE K. V. ARAVIND

C.A.V. ORDER

(PER: HON'BLE MR. JUSTICE K.V. ARAVIND)

Heard Sri Vijaya Kumar, learned counsel for the petitioners, Sri I. Tharanath Poojary, learned Additional Advocate General along with Sri K.R. Rajendra, learned Additional Government Advocate for respondent Nos.1 to 6, 9, 12, 13, 17, 20, 21 and 23 and Sri N. S. Narasimhaswamy, learned counsel for respondent No.16.

2. This writ petition is filed by unsuccessful applicants in Application No.741/2016 and connected matters, impugning the order dated 25.05.2018 passed by the Karnataka State Administrative Tribunal, Bengaluru (for short "the Tribunal"), whereby the applications came to be rejected.

3. The petitioners are aspirants seeking selection to the post of Assistant Teacher for Lower and Higher Primary Schools. The Deputy Director of Public Instructions issued a notification dated 23.03.2015 inviting applications for recruitment to the post of Assistant Teacher of Lower and Higher Primary Schools in the English language. The notification prescribed the qualification of a B.A./B.Sc. degree with 50% marks and English as an optional subject, or a B.Ed. degree with 50%

marks and English as an optional subject. In cases where English had not been taken as an optional subject, a postgraduate degree from a UGC-recognised University or a Postgraduate Diploma in English from the Regional Institute of English, South India (RIESI), was considered an eligible qualification.

3.1 The petitioners had not studied English as one of the optional subjects in their B.A. degree. However, they had acquired a Postgraduate Diploma in English Language from RIESI. The petitioners participated in the centralised competitive examinations conducted on 23.05.2015 and 24.05.2015. The names of the petitioners appeared in the first provisional list, and Respondent No. 3 – the Commissioner, Department of Public Instructions – conducted document verification on 28.07.2015. However, the names of the petitioners were not included in the second provisional list. Thereafter, after the issuance of the notification and publication of the provisional selection list, the notification dated 23.03.2015 came to be amended by a corrigendum dated 26.11.2015, whereby the eligible qualifications were altered. As per the corrigendum, candidates possessing a postgraduate diploma certificate in the English language were rendered

ineligible. This action became the subject matter of challenge before the Tribunal.

3.2 The Tribunal, under the impugned order, held that although amendment of the prescribed qualifications in the midst of an ongoing recruitment process is ordinarily impermissible, such action had become necessary to give effect to the judgment of the High Court, which had subsequently been upheld by the Supreme Court. On that basis, the Tribunal rejected the applications.

4. Sri Vijayakumar, learned counsel appearing for the petitioners, submits that any change in the recruitment rules or educational qualifications after the announcement of the provisional selection list is impermissible in law. It is further submitted that any amendment to the rules cannot be applied retrospectively to an ongoing selection process. Learned counsel further contends that the judgment of this Court in W.P. No.2772/2011 dated 30.07.2015 is not applicable to the facts of the present case. It is also submitted that, even assuming that the Postgraduate Diploma is not equivalent to a degree offered by a University, the same nevertheless constitutes an eligible qualification in view of the qualifications

prescribed by the National Council for Teacher Education (NCTE).

4.1 It is submitted that the amended qualification prescribed under the impugned notification is contrary to the rules and norms prescribed by the NCTE. Learned counsel further submits that, since the year 2003, the State Government has recruited approximately 4,500 teachers on the basis of the Postgraduate Diploma Course awarded by the RIESI. Therefore, the petitioners cannot now be rendered ineligible merely on the ground that they possess a Postgraduate Diploma from RIESI, as such differentiation is arbitrary and impermissible in law.

4.2 It is further submitted that, although the prescription of eligible qualifications falls within the domain of the appointing authority, the amended rules ought to have been relaxed in favour of those applicants whose names had already been included in the provisional selection list.

5. *Per contra*, Sri A. Taranath Poojary, learned Additional Advocate General, appearing along with Sri K.R. Rajendra, learned Additional Government Advocate, for Respondent Nos. 1 to 6, 9, 12, 13, 17, 20, 21 and 23, submits that this Court, in W.P. No.2772 of 2011, has declared that the Diploma

Certificate obtained from RIESI is not equivalent to a degree awarded by a University. Therefore, treating such qualification as an eligible qualification under the notification dated 23.03.2015 would run contrary to the law laid down by this Court. Hence, the issuance of the corrigendum dated 26.11.2015 is justified.

5.1 It is further submitted that the qualification prescribed under the notification dated 23.03.2015 is contrary to Regulation 5 of the NCTE Regulations, 2001. Learned counsel submits that, although the selection process had commenced on the basis of the unamended prescription of qualifications, the same could not have been proceeded with in the light of the declaration made by this Court in W.P. No.2772 of 2011 holding certain qualifications to be ineligible. It is also contended that, as the amendment to the rules and educational qualifications was necessitated to give effect to the judgment of this Court, the principle that the "rules of the game cannot be changed after the game has begun" has no application to the facts of the present case.

5.2 It is also submitted that, merely because certain selections were undertaken or appointments were made on

equitable considerations, the same would not attract the principle of parity. Therefore, the reliance placed by the petitioners on W.P. No.13326 of 2020 is misconceived and unsustainable.

5.3 It is further submitted that the Special Leave Petition filed by the State against the said judgment was dismissed *in limine* and, therefore, the doctrine of merger would have no application. Moreover, the said writ petition pertained to the recruitment of Hindi Teachers and is, therefore, distinguishable on facts and not applicable to the present case.

6. We have considered the submissions made by the learned counsel for the petitioners, the learned Additional Advocate General appearing for the respondents, and Sri N.S. Narasimhaswamy, learned counsel appearing for Respondent No. 16, who supports the submissions advanced by the learned Additional Advocate General. Respondent Nos. 7, 8, 10, 11, 14, 15, 16, 18, 19, 22 and 24 have been served and are unrepresented.

7. As per the notification dated 23.03.2015, a Postgraduate Diploma Certificate in English Language from the RIESI, was recognised as one of the requisite educational qualifications for

appointment to the post of Assistant Teacher in English. The petitioners possess a Bachelor's Degree in Arts with 50% marks and a B.Ed. (English Methodology), and have also qualified in the Teacher Eligibility Test.

7.1 It is undisputed that the petitioners had not studied English as one of the optional subjects in their degree course. However, they possess a Postgraduate Diploma Certificate in English Language from RIESI. The applications submitted by the petitioners were found to be in conformity with the educational qualifications prescribed under the notification dated 23.03.2015. Consequently, they were permitted to participate in the District Level Centralised Competitive Examination conducted by the Centralised Admission Cell on 23.05.2015 and 24.05.2015. The names of the petitioners were included in the provisional selection list published on 20.07.2015, and document verification was completed on 28.07.2015. However, upon publication of the modified provisional list on 26.11.2015, the petitioners submitted their objections. Nevertheless, the names of the petitioners did not find place in the final selection list published on 20.01.2016.

7.2 It is the contention of the respondent-State that, in view of the judgment of this Court in W.P. No.2772 of 2011, wherein it was held that a Postgraduate Diploma Certificate in English obtained from RIESI is not equivalent to a degree awarded by a University, the petitioners could not be permitted to continue in the selection process or be appointed, as such appointment would run contrary to the law declared by this Court in the aforesaid judgment.

7.3 It is not in dispute that the said judgment was rendered on 30.07.2015. The recruitment notification had been issued much earlier, on 23.03.2015. The competitive examinations were conducted on 23.05.2015 and 24.05.2015, and the provisional selection list was published on 20.07.2015. Document verification was also completed on 28.07.2015. Thereafter, a corrigendum came to be issued on 26.11.2015, by virtue of which the petitioners were rendered ineligible. Undoubtedly, the prescribed eligibility qualifications were altered during the pendency of the ongoing selection process.

7.4 The Hon'ble Supreme Court, in ***State of Uttar Pradesh and Others v. Arvind Kumar Srivastava and Others, (2015) 1 SCC 347***, has held as under:

"22.1. The normal rule is that when a particular set of employees is given relief by the court, all other identically situated persons need to be treated alike by extending that benefit. Not doing so would amount to discrimination and would be violative of Article 14 of the Constitution of India. This principle needs to be applied in service matters more emphatically as the service jurisprudence evolved by this Court from time to time postulates that all similarly situated persons should be treated similarly. Therefore, the normal rule would be that merely because other similarly situated persons did not approach the Court earlier, they are not to be treated differently."

7.5 Further, the Constitution Bench of the Hon'ble Supreme Court, in ***Tej Prakash Pathak v. Rajasthan High Court and Others, (2025) 2 SCC 1***, has held as under:

"65.2. Eligibility criteria for being placed in the select list, notified at the commencement of the recruitment process, cannot be changed midway through the recruitment process unless the extant Rules so permit, or the advertisement, which is not contrary to the extant Rules, so permit. Even if such change is permissible under the extant Rules or the advertisement, the change would have to meet the requirement of Article 14 of the Constitution and satisfy the test of non-arbitrariness;

65.3. The decision in K. Manjusree [K. Manjusree v. State of A.P., (2008) 3 SCC 512 : (2008) 1 SCC (L&S) 841] lays down good law and is not in conflict with the decision in Subash Chander Marwaha [State of Haryana v. Subash Chander Marwaha, (1974) 3 SCC 220 : 1973 SCC (L&S) 488] . Subash Chander Marwaha [State of Haryana v. Subash Chander Marwaha, (1974) 3 SCC 220 : 1973 SCC (L&S) 488] deals with the right to be appointed from the select list whereas K. Manjusree [K. Manjusree v. State of A.P., (2008) 3 SCC 512 : (2008) 1 SCC (L&S) 841] deals with the right to be placed in the select list. The two cases therefore deal with altogether different issues;

65.4. Recruiting bodies, subject to the extant Rules, may devise appropriate procedure for bringing the recruitment process to its logical end provided the procedure so adopted is transparent, non-discriminatory/non-arbitrary and has a rational nexus to the object sought to be achieved;

65.5. Extant Rules having statutory force are binding on the recruiting body both in terms of procedure and eligibility. However, where the rules are non-existent, or silent, administrative instructions may fill in the gaps;

65.6. Placement in the select list gives no indefeasible right to appointment. The State or its instrumentality for bona fide reasons may choose not to fill up the vacancies. However, if vacancies exist, the State or its instrumentality cannot arbitrarily deny appointment to a person within the zone of consideration in the select list."

8. The State has vehemently contended that the issuance of the corrigendum, whereby the educational qualifications were altered to the detriment of the petitioners, was necessitated in view of the law declared by this Court in W.P. No.2772 of 2011. This Court, in W.P. No.2772 of 2011, held that the NCTE is the competent authority to prescribe qualifications for appointment of teachers and that any relaxation granted by the State without prior approval of the NCTE is invalid. This Court further held that the Postgraduate Diploma in English Language conducted by RIESI is not equivalent to a degree awarded by a University.

8.1 The judgment of this Court in W.P. No.2772 of 2011 may justify amendment of the rules governing recruitment of teachers prospectively. However, the said judgment cannot form the basis for changing the rules after the provisional selection list has been published and the process of document verification has been completed. Even if, according to the State, completion of the recruitment process in terms of the notification dated 23.03.2015 would have violated the law laid down in W.P. No.2772 of 2011, the remedy was not necessarily to amend the eligibility criteria or issue a corrigendum altering the prescribed educational qualifications after the selection process had reached the stage of document verification.

8.2 No doubt, mere inclusion in a provisional selection list does not vest an indefeasible right to appointment. However, a right to be considered for appointment certainly accrues. Such a right cannot be taken away by a retrospective amendment to the prescribed eligibility criteria or requisite educational qualifications. In that view of the matter, the contention of the State that the law declared in W.P. No.2772 of 2011 compelled a change in the educational qualifications during the pendency of the selection process is unacceptable. Such change in

educational qualification would be prospective and it would have no application to on going recruitment process.

8.3 Furthermore, in identical circumstances involving the recognition of a Postgraduate Diploma as an eligible educational qualification, to which the ratio in W.P. No.2772 of 2011 equally applied in the case of Hindi Teachers recruited pursuant to notifications issued in the same year and on the same date, this Court, in W.P. No.13326 of 2020 dated 22.04.2022, held that candidates who had fulfilled the qualifications prescribed under the notification were entitled to appointment and accordingly directed appointment of such candidates against the vacant posts. The aforesaid directions were issued after taking note of the judgment in W.P. No.2772 of 2011. The Special Leave Petition preferred by the State against the said judgment came to be dismissed by the Hon'ble Supreme Court.

8.4 When identically situated candidates, in the matter of appointment as Hindi Teachers, have been granted appointments, this Court finds no justifiable reason to accord different treatment to the present petitioners, who are similarly placed. In compliance with the directions issued by this Court, a memo dated 18.02.2026 has been filed indicating the vacancy

position of Graduate Primary School Teacher (English Language) across eight districts. The said memo discloses that a total of 251 vacancies are presently available.

8.5 This Court, in W.P. No.13326 of 2020, directed the State authorities to finalise the selection list by including the names of the petitioners and private respondents therein and to pass such further orders as were necessary in accordance with law, while taking note of the appointments already made. In the present case also, when the State Government permitted the petitioners to participate in the examination and selection process, when the petitioners were successful in the competitive examination and found place in the provisional selection list, and when document verification had been completed on 28.07.2015, the alteration of the eligibility criteria after a lapse of four months by issuance of the corrigendum dated 26.11.2015 amounts to an arbitrary exercise of power, particularly when the judgment in W.P. No.2772 of 2011 itself was rendered only on 30.07.2015.

8.6 The State, being a model employer, is expected to treat all candidates alike without compelling them to seek judicial intervention. Having accommodated similarly situated Hindi

Teachers by extending the benefit of appointment, the State cannot assign any different reason or justification to deny similar consideration to the petitioners herein. This Court finds a complete absence of any intelligible differentia justifying the different treatment meted out to the petitioners.

9. The private respondents, who had been issued appointment orders long ago, have no role in the present litigation or in the delay occasioned in its adjudication. Therefore, while issuing directions to consider the appointment of the petitioners as Assistant Teachers (English) in Lower and Higher Primary Schools, the interests of the private respondents/selected candidates must also be adequately safeguarded. The interests of both the petitioners and the selected candidates/private respondents can be protected by adopting the equitable measure applied by this Court in W.P. No.13326 of 2020, as noticed hereinabove. As per the memo dated 18.02.2026, there are 251 vacant posts of Graduate Primary School Teachers (English Language), against which the State authorities can be directed to consider the appointment of the petitioners.

10. In the light of the above, this Court is inclined to entertain the present writ petition and pass the following:

ORDER

- (i) The writ petition is ***allowed***.
- (ii) The order dated 25.05.2018 passed by the Karnataka State Administrative Tribunal, Bengaluru, in Application No.741 of 2016 and connected matters, insofar as it relates to the petitioners, is hereby set aside.
- (iii) The corrigendum dated 26.11.2015 stands quashed.
- (iv) The modified provisional selection list dated 26.11.2015 and the final selection list dated 20.01.2016 shall stand modified by including the names of the petitioners therein.
- (v) Respondent Nos.1 to 6 are directed to consider the petitioners for appointment to the posts of Assistant Teachers (English Language) in Lower and Higher Primary Schools, against the existing vacancies, in accordance with law.

- (vi) Since the private respondents were appointed in the year 2016 and have continued in service for a considerable period, their appointments and seniority shall not be disturbed.
- (vii) Upon consideration and if found otherwise eligible, the petitioners shall be appointed and their seniority shall be fixed below the private respondents and other candidates appointed pursuant to the final selection list dated 20.01.2016.
- (viii) The aforesaid exercise shall be completed within a period of three months from the date of upload of this order.

Pending I.As., if any, stand disposed of.

**Sd/-
(S.G.PANDIT)
JUDGE**

**Sd/-
(K. V. ARAVIND)
JUDGE**

DDU*