



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

PRESENT

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

AND

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

WRIT PETITION No. 16760 OF 2021 (S-KSAT)

BETWEEN:

1. SMT. SHAMITHA LOKESH,
AGED ABOUT 28 YEARS,
D/O LATE SRI J. S. LOKESHKUMAR,
R/O No.3/368, MUTTURAYANASWAMY
EXTENSION, HIMAGIRI ROAD,
K. R. PET TOWN,
MANDYA DISTRICT-571426.

...PETITIONER

(BY SMT. SIRI RAJASHEKAR, ADVOCATE)

AND:

1. THE DIVISIONAL SECRETARY,
AND EX-OFFICIO JOINT DIRECTOR,
DEPARTMENT OF PUBLIC INSTRUCTIONS,
MYSORE DIVISION, D. SUBBAIAH ROAD,
MYSORE-570024.

...RESPONDENT

(BY SRI K.R. RAJENDRA, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET
ASIDE THE ORDERS PASSED BY THE HON'BLE TRIBUNAL
DATED 04.06.2021 IN APPL. No.6270/2018 VIDE ANNEXURE -





C, AND CONSEQUENTLY SET ASIDE THE ENDORSEMENT
BERING No.GT/AhAhNe10/2017-2018, DATED 30.06.2018
ISSUED BY THE RESPONDENT VIDE ANNEXURE - A3 TO THE
APPLICATION BEFORE THE TRIBUNAL ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING
IN 'B' GROUP THIS DAY, ORDER WAS MADE THEREIN AS
UNDER:

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

ORAL ORDER

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

Heard Smt. Siri Rajashekar, learned counsel for the
petitioner and Sri. K.R. Rajendra, learned AGA for respondent.

2. The applicant in Application No.6270/2018 is before this
Court assailing the order dated 04.06.2021 passed by the
Karnataka State Administrative Tribunal (hereinafter referred to
as "the Tribunal").

3. The father of the petitioner, late Sri J.S. Lokeshkumar,
was serving as an Assistant Master and died in harness on
13.06.2016. The petitioner, being the daughter of the deceased
Government servant, submitted an application dated
20.02.2017 seeking appointment on compassionate grounds.



The said application was rejected by endorsement dated 30.06.2018 on the ground that the petitioner was married and, therefore, not eligible for appointment on compassionate grounds. Aggrieved thereby, the petitioner approached the Tribunal.

3.1 The Tribunal, while recording that the application for compassionate appointment had been filed within the prescribed period of limitation, observed that the petitioner had not correctly disclosed her marital status at the time of submitting the application. It was noted that in the survival certificate produced along with the application, her marital status was shown as "unmarried." On the aforesaid grounds, the application came to be rejected.

3.2 It is contended that, in cases involving similar disputes, this Court has taken the view that a married daughter is also eligible for appointment on compassionate grounds. In support of the said submission, reliance is placed on certain judgments of this Court.

4. Sri K.R. Rajendra, learned AGA appearing for the respondent-State, submits that though the application was



filed within the prescribed time, the petitioner had not truly disclosed the facts. It is contended that the application was submitted as though the petitioner was unmarried. He further submits that, as on the date of submission of the application, the settled position of law was that a married daughter was not eligible for appointment on compassionate grounds.

5. Having considered the submissions of the learned AGA appearing for the respondent-State, it is evident that the date of death of the deceased employee and the date of submission of the application are not in dispute. The application has been filed within the prescribed period in terms of the relevant Rules. The only dispute for consideration in the present case is whether a married daughter is eligible for appointment on compassionate grounds.

6. This Court, in ***Bhuvaneshwari V. Puranik vs. State of Karnataka, W.P. No. 17788/2018***, disposed of on ***15.12.2020***, reported in ***2020 SCC OnLine Kar 3397***, has taken the view that a married daughter is also eligible for appointment on compassionate grounds. In that view, marital



status mentioned in the application is relevant for consideration of application, if other conditions are satisfied.

7. In the light of the above decision, the following:

ORDER

- (i) The writ petition is allowed.
- (ii) The order of the Tribunal dated 04.06.2021 is set aside.
- (iii) The Application No.6270/2018 is allowed.
- (iv) The respondent authorities are directed to consider the application for compassionate appointment on merits in accordance with Karnataka Civil Services (Appointment on Compassionate Grounds) Rules, 1996 and pass appropriate order within three months from today.

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

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