



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. 18890 OF 2021 (S-KSAT)

BETWEEN:

1. DR. VENKATESH,
S/O LATE SRI NARASIMHAIAH,
AGED ABOUT 55 YEARS,
PRINCIPAL GOVT. ENGINEERING COLLEGE,
KUSHALANAGAR,
R/AT MIG I, 50/A, KHB II STAGE,
KUVEMPUNAGAR, HASSAN.

...PETITIONER

(BY SRI SHIRISH KRISHNA, ADVOCATE FOR
SMT. SHEELA KRISHNA, ADVOCATE)



AND:

1. STATE OF KARNATAKA,
REPRESENTED BY ITS
PRINCIPAL SECRETARY TO GOVERNMENT,
EDUCATION DEPARTMENT,
KARNATAKA GOVT. SECRETARIAT,
M. S. BUILDING,
DR. AMBEDKAR VEEDHI,
BANGALORE-560 001.
2. THE DIRECTOR,
DEPARTMENT OF TECHNICAL EDUCATION,



PALACE ROAD,
BANGALORE-560 001.

3. OFFICE OF THE ACCOUNTANT GENERAL (A AND E),
P B No.5329, PARK HOUSE ROAD,
BENGALURU-560001.
(ACCOUNTANT GENERAL)

...RESPONDENTS

(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 ORDER DATED 15.07.2021 PASSED BY THE KSAT IN APPLICATION No-4708/2015, MARKED AS ANNEXURE-A.

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 S.G.PANDIT)

The petitioner is before this Court aggrieved by order dated 15.07.2021 in Application No.4708/2015 passed by the Karnataka State Administrative Tribunal, Bengaluru (for short 'the Tribunal'), whereunder, the petitioner's request to extend the benefit of counting of past service rendered in the aided institution for the purpose of fixation of pay, leave and pension is rejected.



2. Heard learned counsel Sri. Shirish Krishna for learned counsel Smt. Sheela Krishna for the petitioner and learned AGA Sri. K.R. Rajendra for the respondents. Perused the entire writ petition papers.

3. Learned counsel for the petitioner would submit that the petitioner joined service as Lecturer at Malanad College of Engineering, Hassan, which was an aided Institution. In pursuance to the notification inviting application for appointment to fill up the post of Principal in the Government Engineering College, the petitioner applied and was selected under Notification dated 26.05.2014 (Annexure-A1) and petitioner was appointed as Principal at Government Engineering College.

3.1 Learned counsel for the petitioner would submit that the request of the petitioner to count his past service rendered in an aided Institution, under Rule 252(b) of KCSRs was rejected. Challenging the said endorsement, the petitioner was before the Tribunal and the Tribunal under impugned order rejected his prayer.



3.2 Learned counsel for the petitioner would submit that the petitioner had rendered service of more than 20 years in the aided institution and subsequently, he was appointed through KPSC as Principal of Government Engineering College. If earlier service of petitioner is counted, then the petitioner would become eligible for pension and by virtue of the action of the State, the petitioner is not in a position to receive any pension on his retirement.

4. On the other hand, learned AGA would support the order passed by the Tribunal and would submit that pension scheme is discontinued subsequent to 2006. As such, the petitioner would not be entitled for any pension.

5. Having heard the learned counsel for the parties and on perusal of the entire petition papers, we are not inclined to interfere with the order passed by the Tribunal. Admittedly, the petitioner was appointed as Principal of Government Engineering College having been selected through KPSC, under Notification dated 26.05.2014 (Annexure-A1). It is also an admitted fact that pension scheme has been discontinued from 2006 onwards. The petitioner's request to count the past



service cannot be accepted in the absence of availability of pension to the petitioner.

6. The State Government has taken a policy decision discontinuing the pension from 2006 onwards. As such, the counting of petitioner's past service for the purpose of pension would not arise. We do not find any error or illegality in the order passed by the Tribunal. Accordingly, the writ petition stands rejected.

Liberty is reserved to the petitioner to make representation seeking benefit for the service rendered in an aided Institution in accordance with law.

Sd/-
(S.G.PANDIT)
JUDGE

Sd/-
(K. V. ARAVIND)
JUDGE