

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
[SRI. LOKESH V. NAYAKA VS. STATE OF KARNATAKA AND
OTHERS]

09.02.2026

(VIDEO CONFERENCING / PHYSICAL HEARING)

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

ORAL ORDER

Sri P.D.Surana, the learned counsel for the petitioner, arguing in support of the petition and as against the application filed for vacating the interim order, submits that **[a]** the petitioner is issued with the Caste Certificate in the year 2013 not for educational or employment purposes but to contest the elections, **[b]** this certificate is not issued under the provisions of the Karnataka Scheduled Castes, Scheduled Tribes and other Backward Classes [Reservation of Appointment etc.,] Act, 1990 [for short, '*the Act*'], **[c]** the fourth respondent could not have invoked the jurisdiction under Section 4-B of the Act because the Certificate is not issued under the Act and if the Certificate is not issued under the Act as held by this Court in ***Suryakantha Rao vs. State of Karnataka and others, [2002]3 KLJ 498***, the second respondent could not have assumed jurisdiction.

Sri P.D.Surana also submits that this is the consistent view of this Court as could be seen even under the later judgments and that even otherwise, the petitioner, because he has not suffered any loss of employment opportunity or admission, cannot be an *aggrieved person* to have invoked the provisions of Section 4-B of the Act. In this regard, the learned counsel relies upon a Division Bench judgment of this Court in ***R.S.Mahadev vs. B.R.Gopamma and others, ILR 2021 KAR 4585.***

Sri Yashodhara Hegde, the learned counsel for the fourth respondent, seeks accommodation to respond in the light of these submissions, and hence, the office is directed to relist this petition on **24.02.2026.**

The interim order granted earlier is continued to be in force until the next date of hearing.

(B M SHYAM PRASAD)
JUDGE

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List No.: 1 Sl No.: 31