



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 21117 OF 2022 (S-RES)

BETWEEN:

S. LOKARAJU
S/O LATE SIDDALINGAIAH
AGED 56 YEARS
WORKING AS SENIOR MEDICAL LAB TECHNOLOGIST
DEPARTMENT OF BIO CHEMISTRY
KIDWAI MEMORIAL INSTITUTE OF ONCOLOGY
DR. H.M. MARIGOWDA ROAD,
BENGALURU 560 029.

...PETITIONER

(BY SRI. RANGANATHA S JOIS., ADVOCATE)

AND:

THE DIRECTOR
KIDWAI MEMORIAL INSTITUTE OF ONCOLOGY
DR. H.M MARIGOWDA ROAD
BANGALORE-560029.

...RESPONDENT

(BY SRI.NISHANTH C, ADVOCATE FOR
SRI. PIYUSH KUMAR JAIN. D., ADVOCATE)



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR RECORDS RELATING TO THE IMPUGNED ORDER BEARING NO.KMIO/SIBBANDI-03/92/2021-22 DATED: 6.10.2022 VIDE ANNEXURE-N PASSED BY THE RESPONDENT, SET ASIDE THE SAME AS ARBITRARY, ILLEGAL AND OPPOSED TO PRINCIPLES OF JUSTICE UNDER ARTICLE 311 OF THE CONSTITUTION AND MALAFIDE AND ETC.

THIS PETITION, COMING ON FOR FINAL HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

1. In this writ petition, the petitioner sought for the following relief/s:

"a) **CALL FOR** records relating to the impugned order bearing No.KMIO / Sibbandi-03/92 2021-22 dated 6.10.2022 vide Annexure-N, passed by the Respondent, **SET ASIDE** the same as arbitrary, illegal and opposed to principles of justice under 311 of the Constitution and malafide;

b) **ISSUE A writ** in the nature of mandamus directing the respondents to reinstate the petitioner in service with all consequential benefits;

c) **Pass** such other order or directions as this Hon'ble Court deems it appropriate in the ends of justice."

2. The case of the petitioner is that he was an employee of the respondent-Institute. While he was in service, a departmental enquiry was initiated against him. By the impugned order dated 06.10.2022 vide Annexure-N, he was dismissed from service. Thereafter, the petitioner filed an appeal before the State Government challenging the



impugned order at Annexure-N. The State Government, by communication dated 11.01.2024 vide Annexure-H, stated that in respect of Group 'C' employees, as per the bye-laws of the respondent-Institute, the Board of Directors/Honorary Committee is the Appellate Authority. Accordingly, the appeal was forwarded to the respondent-Institute.

3. During the pendency of the appeal before the respondent-Institute, the petitioner filed the present writ petition before this Court challenging the impugned order at Annexure-N. The respondent-Institute, by the endorsement dated 31.05.2024 vide Annexure-K1, intimated the petitioner that his appeal could not be considered in view of the pendency of this writ petition and that the appeal would be considered after the disposal of the writ petition by the High Court.

4. In view of the above, the writ petition is ***disposed of.***



5. The respondent-Institute is directed to consider the appeal filed by the petitioner challenging the impugned order dated 06.10.2022 vide Annexure-N, within four weeks from the date of receipt of a copy of this order.
6. All the contentions of the parties are left open.
7. All pending applications, if any, stand disposed of.

Sd/-
(H.T. NARENDRA PRASAD)
JUDGE