



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. 26528 OF 2024 (S-RES)

BETWEEN:

MR SURESHA K C
AGED ABOUT 31 YEARS
S/O CHANNACHARI
R/AT NO. 61, KOKKARANAHOSAHALLI ARANI
NAGAMANGALA, MANDYA
KARNATAKA - 571 418.

...PETITIONER

(BY SMT. PAULINE PRIYANKA B., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY THE PRINCIPAL SECRETARY
DEPARTMENT OF MEDICAL EDUCATION
MULTISTORIED BUILDING (M S BUILDING)
BENGALURU - 560 001.
2. MANDYA INSTITUTE OF MEDICAL SCIENCES
REP. BY ITS SECRETARY
(AUTONOMOUS MEDICAL INSTITUTION,
GOVERNMENT OF KARNATAKA)
BANGALORE MYSORE ROAD
MANDYA - 571 401.
3. RR MANPOWER SERVICES PVT LTD., COMPANY
HAVING ITS REGISTERED OFFICE AT NO. 337
1ST CROSS, 7TH MAIN, BHUVANESHWARI NAGAR
T DASARAHALLI, BENGALURU - 560 057.
4. THE KARNATAKA STATE COMMISSIONER FOR
RIGHTS OF PERSONS WITH DISABILITY
REP.BY ITS STATE COMMISSIONER





NO.55, 2ND FLOOR, KARNATAKA SLUM
DEVELOPMENT BOARD BUILDING
RISALDHAR STREET, SESHADRIPURAM,
BENGALURU – 560 020.

...RESPONDENTS

(BY SRI.G RAMESH NAIK, AGA FOR R1:
SMT PRAJWALA SATHYAPRAKASH, ADVOCATE FOR R2:
R3 & R4 ARE SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS DIRECTING THE R-3 TO REINSTATE THE PETITIONER BACK TO WORK AS PER ANNEXURE-H ORDER DATED:30.10.2023 PASSED BY THE R-4 THE COURT OF THE DISABLED, ESTABLISHED UNDER THE RIGHTS OF PERSONS WITH DISABILITY ACT, 2016 IN CASE NO.5/2023-24/474 AND ETC.

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

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

ORAL ORDER

This writ petition is filed under Articles 226 & 227 of the Constitution of India, seeking the following reliefs:

"(i) Issue a writ of mandamus directing the 3rd respondent to reinstate the petitioner back to work as per Annexure-H, order dated 30.10.2023 passed by the 4th respondent, the Court of the Disabled, established under the Rights of Persons with Disability Act, 2016 in Case No.5/2023-24/474.

ii) Issue a writ of mandamus directing the respondents to issue an in-source order and make him a permanent employee and to consider representation as per Annexure-D1 bearing



No.YC/Sibbandi/10-2022-23 dated 05.05.2022 and Annexure-D2 bearing No.MED 63 MPS 2021 dated 02.03.2022.”

2. The case of the petitioner is that he was appointed as a Lift Operator (Group-D employee) in the second respondent–Hospital in the year 2019. The third respondent–Agency, by communication dated 10.11.2022 vide Annexure-F, terminated the services of the petitioner. Thereafter, the petitioner approached the Disability Commission. The Disability Commission, vide Annexure-H, directed the respondents herein to consider the case of the petitioner and to continue his services in the second respondent–Hospital.

3. Since the said order passed by the fourth respondent–Disability Commission has not been complied with, the petitioner submitted representations vide Annexure-J series. However, the petitioner has not been reinstated into service. Hence, he is before this Court.



4. Learned counsel appearing for the second respondent submits that the petitioner was appointed by the third respondent, which is a private agency, and that there is no relationship of employer and employee between the petitioner and the second respondent. Be that as it may.

5. It is clear that Annexure-H, passed by the fourth respondent–Disability Commission, has attained finality. Pursuant thereto, the petitioner has submitted representations vide Annexure-J series. Hence, it is suffice for this Court to direct the respondents to consider the representations submitted by the petitioner vide Annexure-J series, in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition stands disposed of.

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

CM