



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH 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. 28425 OF 2023 (S-KSAT)

BETWEEN:

1. SRI GANESHA H.,
S/O SRI HALAPPA,
AGED ABOUT 32 YEARS,
R/AT 65/B, GOVERNMENT SCHOOL ROAD,
GOLLARAHALLI VILLAGE,
HONNALI TALUK,
DAVANAGERE DISTRICT,
DAVANAGERE-577217.

...PETITIONER

(BY SRI SAGAR B. B., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF EDUCATION,
M. S. BUILDING,
BENGALURU-560009.
2. THE COMMISSIONER OF PUBLIC INSTRUCTIONS
CENTRALIZED ADMISSION CELL,
OPPOSITE TO CAUVERI BHAVAN,
K. G. ROAD,
BENGALURU-560009.





3. THE DEPUTY DIRECTOR,
AND SELECTION AUTHORITY (ADMINISTRATION),
MANIPAL,
UDUPI DISTRICT-576104.
4. AKKAMMA S. H.,
FATHER NAME NOT KNOWN
TO THE PETITIONER,
C/O DEPUTY DIRECTOR OF
PUBLIC INSTRUCTIONS,
AND SELECTION AUTHORITY (ADMINISTRATION),
MANIPAL,
UDUPI DISTRICT-576104.
5. SWATHI,
FATHER NAME NOT KNOWN
TO THE PETITIONER,
C/O DEPUTY DIRECTOR OF
PUBLIC INSTRUCTIONS,
AND SELECTION AUTHORITY (ADMINISTRATION)
MANIPAL,
UDUPI DISTRICT-576104.

...RESPONDENTS

(BY SRI VIKAS ROJIPURA, AGA FOR R1 TO R3;
SRI H.R. SHOWRI, ADVOCATE FOR R4 & R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE IMPUGNED ORDER DATED 28/11/2023 PASSED IN APPLICATION No.2326/2023 VIDE ANNEXURE-C PASSED BY THE HON'BLE KSAT AT BANGALORE AND CONSEQUENTLY ALLOW THE APPLICATION No.2326/2023 AS PRAYED FOR.

THIS PETITION COMING ON FOR ORDERS 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 being aggrieved by order dated 28.11.2023 in Application No.2326/2023 passed by the Karnataka State Administrative Tribunal, Bengaluru (for short 'the Tribunal') rejecting his prayer to quash the selection and appointment of respondent Nos.4 and 5 vide select list dated 08.03.2023 (Annexure-A7) and for a direction to respondent No.3 to consider the claim of the applicant for the post of Graduate Primary School Teacher for Class 6 to 8 under Scheduled Tribes-Others category.

2. The facts of the case are that, the petitioner in pursuance to recruitment Notification dated 21.03.2022 applied for the post of Graduate Primary Teacher for class 6 to 8. The petitioner participated in the selection process. On completion of selection process, main selection list of candidates selected for the post of Graduate Primary Teacher for class 6 to 8 was published by respondent No.3 on 08.03.2023 (Annexure-A7). It is stated that in the said select list, respondent Nos.4 and 5 were selected and the petitioner was not selected though he



was more meritorious than respondent Nos.4 and 5. Challenging his non-selection and selection of respondent Nos.4 and 5, the petitioner approached the Tribunal in the above-stated application and the Tribunal under impugned order dismissed the petitioner's application holding that the recruitment notification provided 50% of post in each reservation category to women. As such, the selection and appointment of respondent Nos.4 and 5 is proper. Questioning the impugned order of the Tribunal as well as the selection of respondent Nos.4 and 5 and non-selection of petitioner, the petitioner is before this Court in this writ petition.

3. Heard learned counsel Sri. Sagar B.B. for the petitioner, learned Additional Government Advocate Sri. Vikas Rojipura for respondent Nos.1 to 3 and learned counsel Sri. H.R. Showri for respondent Nos.4 and 5. Perused the entire writ petition papers.

4. Learned counsel for the petitioner would submit that the petitioner is more meritorious than respondent Nos.4 and 5 and as such, the selection of respondent Nos.4 and 5 in Graduate Primary Teacher is wholly illegal and the petitioner



being more meritorious ought to have been selected. Learned counsel would submit that though the Cadre and Recruitment Rules (C & R Rules) as well as recruitment notification provides 50% reservation to women in each category, as more than 50% of the women had been selected overall, there was no necessity to select two women candidates out of three posts reserved for Scheduled Tribes-Others. Thus, learned counsel would pray for allowing the writ petition.

5. *Per contra*, learned Additional Government Advocate Sri. Vikas Rojipura for respondent Nos.1 to 3 would submit that three posts of Graduate Primary Teachers were reserved for Scheduled Tribes-Others and in the said category also, 50% of the posts shall be reserved for women. He submits that 50% out of the post would be 1.5%. Since there is fraction of 1.5, 2 posts were earmarked for women candidates. Therefore, he submits that the petitioner cannot have any grievance. Thus, he would pray for dismissal of the writ petition.

6. Having heard the learned counsel for the parties and on perusal of the entire writ petition papers, we are not



inclined to interfere with the order passed by the Tribunal and we are of the opinion that the selection and appointment of respondent Nos.4 to 5 and non-selection of petitioner is in accordance with law and in terms of the C & R Rules as well as the recruitment notification.

7. The recruitment to the Graduate Primary School Teachers are concerned is governed by the Karnataka Education Department Services (Department of Public Instructions)(Recruitment)(Amendment) Rules, 2017 and amended under Notification dated 22.02.2022 (Annexure-R1). The C & R Rules would provide that not less than 50% of the vacancies shall be filled by women candidates in each category. The recruitment notification at Annexure-A2 dated 21.03.2022 also makes it clear that 50% of the posts in each category is reserved to women candidates. The classification of vacancy, out of 97 posts, 3 posts were earmarked for Scheduled Tribe candidates. Out of 3 posts, 50% would be 1.5 posts. As submitted by learned AGA, fraction of 0.5 is taken as 1 post and 2 posts are earmarked for women candidates. That appears to be the correct legal position and the Government



has rightly out of 3 posts, reserved 2 posts of Graduate Primary Teachers to the women candidates under Scheduled Tribes- Others category. Out of three, one post was earmarked for physically challenged. In the category of physically challenged also, meritorious women candidate is recruited.

8. We do not find any error or illegality, in the procedure adopted by the State Government. Accordingly, we are of the considered view that there is no merit in the writ petition hence, the writ petition stands rejected.

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

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