



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. 33370 OF 2025 (S-KSAT)

BETWEEN:

1. MRS. CHETANA K.N.,
AGED ABOUT 39 YEARS,
D/O. MR. NAGABHUSHAN K.R.,
AND LATE. MRS. KATYAYINI B.R.,
W/O. MR. CHANDANRAJ.B.R.,
FLAT No.308, 3RD FLOOR,
W.S.MAX SPELNDID, SURVEY No.65,
VISHWESHWARAIHA LAYOUT,
6TH BLOCK, BENGALURU NORTH,
BENGALURU - 560 091.

...PETITIONER

(BY SRI C. MOHANA, ADVOCATE)

AND:

1. THE COMMISSIONER,
DEPARTMENT OF TREASURIES,
K.P.C.L GREEN BUILDING,
5TH AND 6TH FLOOR, PALACE ROAD,
BENGALURU - 560 001.
2. THE STATE OF KARNATAKA
REP. BY ITS CHIEF SECRETARY
VIDHAN SOUDHA,
BENGALURU - 560 001.





3. THE STATE OF KARNATAKA,
REP. BY SECRETARY TO GOVERNMENT
DEPARTMENT OF PERSONNEL AND
ADMINISTRATIVE REFORMS (DPAR),
VIDHAN SOUDHA, BENGALURU - 560 001.

...RESPONDENTS

(BY SRI V. SHIVAREDDY, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ORDER DATED 24/06/2023 PASSED BY THE HON'BLE TRIBUNAL IN APPLICATION No.4838/2021 VIDE ANNEXURE-A.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, 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 K. V. ARAVIND)

Heard Sri C. Mohana, learned counsel for the petitioner, and Sri V. Shivareddy, learned Additional Government Advocate for the respondents.

2. The unsuccessful applicant in Application No.4838/2021, assailing the order dated 24.06.2023 passed by the Karnataka State Administrative Tribunal, Bengaluru (for short, 'the Tribunal'), is before this Court in the present writ petition.



3. The brief facts are that the applicant is the married daughter of late Smt. Katyayini B.S., who was working as an Assistant Treasury Officer in the Department of Treasuries. Smt. Katyayini B.S. died on 13.09.2018 leaving behind her husband and two daughters. The applicant/petitioner is the daughter of the deceased Government employee. The petitioner filed an application on 07.09.2019 seeking appointment on compassionate grounds as per the provisions of the Karnataka Civil Services (Appointment on Compassionate Grounds) Rules, 1996 (for short, 'the 1996 Rules'). By endorsement dated 25.11.2019 and further communications dated 03.03.2021 and 02.08.2021, the rejection of the application was reiterated. In the endorsement dated 02.08.2021, it is stated that as the amendment to the 1996 Rules, including a married daughter in the definition of 'family', came into effect from 09.04.2021, and considering the legal position as on the date of death of the Government employee, the petitioner, being a married daughter, is not eligible for compassionate appointment under the 1996 Rules.



4. The petitioner, questioning the above endorsements, preferred an application before the Tribunal. The Tribunal, under the impugned order, considering the Rules as they existed on the date of death of the Government employee, rejected the application by holding that the petitioner is not eligible for compassionate appointment.

5. Sri C. Mohana, learned counsel for the petitioner, submits that the application of the petitioner seeking appointment on compassionate grounds was filed within the time prescribed under the 1996 Rules. It is submitted that an amendment was brought into the 1996 Rules with effect from 09.04.2021, including a married daughter within the definition of 'family'. It is further submitted that this Court, while examining the entitlement of a married daughter for compassionate appointment prior to the amendment, has held that the restriction on the entitlement of a married daughter to compassionate appointment is discriminatory and that she is eligible for such appointment. It is submitted that the said decision has attained finality in view of its confirmation by the Division Bench of this Court and the further dismissal of the



SLP before the Hon'ble Supreme Court. It is therefore submitted that the order of the Tribunal is contrary to the above legal position declared by this Court.

6. *Per contra*, Sri V. Shivareddy, learned Additional Government Advocate for the respondents, submits that the law as it existed on the date of death of the Government employee has to be applied. It is submitted that as on the date of death of government servant, under the provisions governing compassionate appointment, a married daughter was ineligible. It is therefore submitted that the Tribunal is justified in rejecting the application.

7. We have considered the submissions made by the learned counsel for the parties.

8. The controversy would not detain this Court for long in view of the settled legal position. This Court, in the case of ***Smt. Bhuvaneshwari V. Puran vs. State of Karnataka and others (2020 SCC OnLine Kar 3397)***, has taken the view that a married daughter is also eligible for appointment on compassionate grounds. In similar cases, this Court has taken



the view that, in light of the said judgment, a married daughter is eligible for compassionate appointment even prior to the amendment to the 1996 Rules with effect from 09.04.2021. In view of the enunciation of law entitling a married daughter to compassionate appointment even much prior to the amendment to the Rules, we find no justifiable or demonstrable reason to deny the eligibility of the petitioner for appointment on compassionate grounds.

9. For the reasons recorded hereinabove, the following:

ORDER

- (i) Writ petition is ***allowed***.
- (ii) The order passed by Tribunal in Application No.4838/2021 dated 24.06.2023 is hereby set aside.
- (iii) The respondent-Authorities are directed to consider the application of the petitioner for compassionate appointment if other required conditions are satisfied.



- (iv) Respondents are granted three months' time from the date of production of copy of this order to complete the exercise as directed above.

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

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

DDU
List No.: 1 Sl No.: 32