



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 6TH DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. JUSTICE M.I.ARUN

AND

THE HON'BLE MR. JUSTICE B. MURALIDHARA PAI

WRIT PETITION NO. 100407 OF 2026 (S-KAT)

BETWEEN:

DR. M.S. LOKESH PRASAD M.S.,
AGED: 52 YEARS,
OCC: SCIENTIFIC OFFICER
AND GOVT. ANALYST,
RESIDING AT ROOM NO. 5,
FIRST FLOOR, SRI. HARI RESIDENCY,
PLOT NO. 79 AND 80,
CHOWDHARY LAYOUT,
RAGHAVENDRA COLONY, II-STAGE,
BALLARI – 583 101.

PRESENTLY WORKING AS/AT
SCIENTIFIC OFFICER AND GOVT. ANALYST,
PHARMACHEMISTRY-2, MICROBIOLOGY SECTION,
REGIONAL DRUGS TESTING LABORATORY,
FOOD SAFETY AND DRUG ADMINISTRATION
DEPARTMENT, 2ND CROSS, 2ND STAGE,
RAGHAVENDRA COLONY, BALLARI - 583 101.

...PETITIONER

(BY SRI. SURAJ S. MUTNAL, ADVOCATE)

AND:

1. THE STATE OF THE KARNATAKA,
REPRESENTED BY ITS





PRINCIPAL SECRETARY TO THE
GOVERNMENT, DEPARTMENT OF
HEALTH AND FAMILY WELFARE, 105,
I FLOOR, VIKASA SOUDHA,
BENGALURU - 560 001.

2. THE COMMISSIONER,
DEPARTMENT OF FOOD SAFETY AND
DRUG ADMINISTRATION,
PALACE ROAD,
BENGALURU - 560 001.
3. THE PRINCIPAL SCIENTIFIC OFFICER,
DRUG TESTING LABORATORY,
DRUGS CONTROL DEPARTMENT,
FOOD SAFETY AND DRUG
ADMINISTRATION DEPARTMENT,
BENGALURU - 560 001.
4. THE CHIEF SCIENTIFIC OFFICER,
REGIONAL DRUGS TESTING
LABORATORY, FOOD SAFETY AND
DRUG ADMINISTRATION DEPARTMENT,
2ND CROSS, 2ND STAGE,
RAGHAVENDRA COLONY,
BALLARI - 583 101

...RESPONDENTS

(BY SRI. SHARAD V. MAGADUM, AGA FOR R1 TO R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ALLOW THE WRIT PETITION AND FURTHER BE PLEASED TO QUASH THE IMPUGNED ORDER DATED 19.12.2025 PASSED BY HON'BLE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL AT BELAGAVI IN APPLICATION NO.11063/2025, CERTIFIED COPY OF WHICH IS PRODUCED AS ANNEXURE-C AND ETC.,

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



CORAM: THE HON'BLE MR. JUSTICE M.I.ARUN
AND
THE HON'BLE MR. JUSTICE B. MURALIDHARA PAI

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE M.I.ARUN)

Aggrieved by the order dated 19.12.2025, passed in Application No.11063/2025 by the Karnataka State Administrative Tribunal (for short, 'the Tribunal') at Belagavi, the applicant therein has preferred this writ petition.

2. On the allegation of procedural negligence and dereliction of statutory duty on the part of the applicant, he has been placed under suspension. The same has been challenged herein.

3. The applicant is working as a Scientific Officer and Government Analyst at Regional Drugs Testing Laboratory at Bellary. At that time, he received certain samples of drugs to be analysed. The process of receipt and analysis required him to record the particulars of the samples received including batch numbers, labeling and sample integrity before proceeding with analysis. The allegation against the



applicant is that he has not done so in the manner prescribed. It is the case of the authorities that the action of the petitioner herein weakens the case of the Government against the drugs' supplier. Hence, it was deemed appropriate to initiate an enquiry against the petitioner and he was placed under suspension. This was challenged by the petitioner before the Tribunal. The Tribunal, by assigning the following reasons, has rejected his application.

"9. Perusal of the documents reveals that the Assistant Drugs Controller at Kalaburagi confiscated certain drugs during raid and invoked provisions of NDPS Act and upon seizure, the samples were furnished to the applicant for the purpose of analysis. Accordingly, the applicant conducted analysis and submitted report in detail along with Form No.13. The applicant subjected the samples for analysis under priority, furnished detailed report declaring the samples as "Spurious" as per Section 17-B of Drugs and Cosmetics Act, 1940 and the samples does not conform to IP standards with respect to Test for Identification and Assay for Nitrazepam. Along with the report, the applicant furnished Form No.13 as contemplated under the Act & Rules, wherein, the details of samples including batch number, date of



manufacture, date of expiry, quantity of samples sent for analysis etc., for analysis is mentioned.

10. We have also gone the materteral aspect that the Assistant Drug Controller-1 also furnished Form No.18 bearing sample MR No.1206-BEL-24-25, along with samples of the Drugs seized, i.e., NITRAVET-10 (Nitrazepam Tablets IP10mg) mentioning batch No.AXA24003P (present on the carton box) which were manufactured by M/s. Anglo French Drugs and Industries Ltd. However, the batch number is mentioned as AXZ24003P on the NITRAVET-10 blisters kept inside the carton and the same was not mentioned in Form No.18 by the Assistant Drug Controller-1 at the time of handing over the samples along with Form No.18. The said samples were received by the Government Analyst in-charge of Test Section at the Regional Testing Laboratory, at Ballari. The Applicant carried out detailed analysis of the samples and furnished the report declaring the samples as "SPURIOUS", as per Section 17B of Drugs and Cosmetics Act, 1940. Along with report, the applicant furnished Form No.13 as contemplated under the Act/Rules.

11. We have noticed that the impugned orders were issued after due examination of material evidence revealing serious procedural lapses in the analysis of seized drug samples containing



Nitrazepam (Nitravet) - a psychotropic substance regulated under the Narcotic Drugs and Psychotropic Substances (NDPS) Act, 1985. Under Rule 46 of the Drugs and Cosmetics Rules, it is the bound duty of the Government Analyst to verify all particulars of the samples received, including batch numbers, labeling, and sample integrity before proceeding with analysis. The Applicant received the sample at RDTL, Ballari on 29.09.2025. The batch numbers mentioned in Form No.18 and on the carton matched; Hence, an MR number was generated. However, the blister strip contained a different batch number, which was not verified, recorded, or reported by the Applicant at any stage. Despite this discrepancy, the Applicant proceeded to issue the Form No.13 analytical report, mentioning Batch No.AXZ24003P/AXA24003P, analyzed at the laboratory. This act amounts to serious procedural lapse and falsification of analytical particulars, thereby perpetuating the original sampling error committed by the Assistant Drugs Controller. The Form No.13 issued by the Applicant is a statutory report under Section 25(1) of the Drugs and Cosmetics Act, 1940, and hence, the entire legal responsibility for accuracy and procedural compliance lies solely with the Government Analyst.

12. That during inspection of RDT, Ballari on 06.06.2025, the Principal Scientific Officer, Drug



Testing Laboratory, Bengaluru, detected the said discrepancy and issued a written notice to the Applicant seeking explanation. The Applicant's reply failed to address the central issue of verification of sample identity and batch consistency prior to analysis. Upon examination of the explanation and supporting documents, the Respondent authorities (R1 & R2) concluded that the lapses committed by the Applicant seriously compromised the analytical integrity of a controlled psychotropic drug sample. The analytical report declaring the said batch of Nitrovet as spurious was rendered unreliable due to the procedural irregularity.

13. From the above facts and circumstances, it is seen that the Applicant's negligence in this regard amounts to gross dereliction of duty, professional negligence, and failure to uphold statutory responsibilities as a Government Analyst. The impugned order of suspension was issued in contemplation of disciplinary proceedings, as permitted under Rule 10(1)(d) of the Karnataka Civil Services (CCA) Rules, 1957. The suspension is not punitive but an administrative necessity to ensure a fair inquiry and to maintain the credibility of the ongoing investigation involving NDPS-related drug samples. The Applicant was given an opportunity to explain the lapses, and his explanation was duly



examined. The same was found unsatisfactory and failed to exonerate him of responsibility. The Form No.13 analytical report itself evidences the procedural irregularity and lack of verification by the Applicant. The Applicant failed to adhere to the mandatory verification protocols under the Drugs and Cosmetics Rules, thereby vitiating the analytical process. The Respondents acted in good faith and within the bounds of statutory authority. The suspension orders dated 29.09.2025 and 03.10.2025 are justified. necessary, and not mechanical in nature. Thus, the applicant has exhibited gross dereliction of duty and misconduct in his performance of his official duties. The allegations against the applicant are prima facie proved based on the evidence and therefore it was decided to place him under suspension pending departmental enquiry.

14. After collecting the material, it was examined and then the authority has arrived at a decision that there is prima facie evidence to place the applicant under suspension. Therefore, there is compliance of provision of Rule 10(3) of Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 and ratio laid down by the Hon'ble Supreme Court in State of Orissa Vs Bimal Kumar Mohanty reported in AIR 1994 SC 2296 and Union of



India and another v. Ashok Kumar Aggarwal reported in (2013) 16 SCC 147.

15. There was clearly an application of mind as there are sufficient reasons to keep the applicant under suspension. In this regard, we rely on the judgments of the Hon'ble Apex Court in S.R. Tewari v. Union of India and Anr. Reported in 2013 (4) SCC 62 wherein it is held that the role of Court in the matter of departmental proceedings is very limited and it cannot substitute its own views by finding or by replacing the findings arrived at by the authority on detailed appreciation of the evidence on record. Thus, we are of the view that there is no infirmity in the impugned order of suspension."

4. In our opinion, the allegations made against the petitioner warrants an inquiry. As rightly observed by the Tribunal, for conducting investigation/enquiry, it is essential to place the applicant under suspension. It is always open for the petitioner to submit his explanation to the authorities concerned or in the disciplinary proceedings that may be initiated against him, and the same shall be examined in reference to the evidence and appropriate orders shall be passed by the concerned.



5. Under the circumstances, for the reasons recorded by the Tribunal, we do not see any merit in the writ petition. Accordingly, the writ petition is dismissed.

However, it is hereby directed that the authorities concerned shall complete the proceedings against the petitioner as expeditiously as possible within an outer limit of six months from today.

In view of dismissal of the petition, pending interlocutory applications, if any, stand disposed of as not surviving for consideration.

Sd/-
(M.I.ARUN)
JUDGE

Sd/-
(B. MURALIDHARA PAI)
JUDGE