



IN THE HIGH COURT OF KARNATAKA AT DHARWAD
DATED THIS THE 27TH DAY OF FEBRUARY 2026
BEFORE
THE HON'BLE MRS JUSTICE K.S.HEMALEKHA
WRIT PETITION NO. 101883 OF 2024 (S-RES)
C/W
WRIT PETITION NO. 101884 OF 2024 (S-RES)

IN WP NO. 101883/2024

BETWEEN:

GOPAL S/O. DHAKALU CHOUGULE,
AGE: 48 YEARS, OCC: WORKER TEACHER,
R/O. KUDREMANI,
TQ: AND DIST: BELAGAVI-591128.

...PETITIONER

(BY SRI. SHIVAKUMAR S. BADAWADAGI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
BY ITS SECRETARY TO DEPARTMENT OF
PARLIAMENTARY AFFAIRS AND LEGISLATION,
M.S. BUILDING , BENGALURU-560001.
2. THE STATE OF KARNATAKA,
BY ITS PRINCIPAL SECRETARY TO
DEPARTMENT OF SCHOOL EDUCATION,
6TH FLOOR, M.S. BUILDING, BENGALURU-560001.
3. THE DIRECTORATE OF VOCATIONAL COURSES,
BY ITS DIRECTOR,
3RD FLOOR, P.U BUILDING, 18TH CROSS,
SAMPIGE ROAD, MALLESHWARAM,
BENGALURU-560001.
4. THE DEPUTY DIRECTOR,
PRE-UNIVERSITY VOCATIONAL COURSES,





NC: 2026:KHC-D:3183
WP No. 101883 of 2024
C/W WP No. 101884 of 2024

BELAGAVI DISTRICT, BELAGAVI-590001.

5. DAKSHIN MAHARASHTRA SHIKSHAN MANDAL,
CLUB ROAD, CAMP BELAGAVI,
BY ITS SECRETARY,
TQ: AND DIST: BELAGAVI-590001.

...RESPONDENTS

(BY SMT. NANDINI B. SOMAPUR, AGA FOR R1-R4;
NOTICE TO R5 IS DISPENSED WITH
VIDE ORDER DATED 25/02/2026)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE THE WRIT IN THE NATURE OF CERTIORARI BY QUASHING THE RELIEVE ORDER PASSED BY THE RESPONDENT NO.5 VIDE REF. NO.2021 DATED 10-06-2011 VIDE ANNEXURE-D; ISSUE THE WRIT IN THE NATURE OF MANDAMUS DIRECTING THE RESPONDENTS TO ABSORB THE SERVICE OF PETITIONER FROM THE DATE OF HIS RELIEVING ORDER AS WELL AS WITH ALL ARREARS AND MONITORY BENEFITS AND ETC.

IN WP NO. 101884/2024

BETWEEN:

SMT. SANGEETA D/O. BHAUSAHEB RANE,
AGE: 48 YEARS, OCC: WORKER TEACHER,
R/O. VADGAON, TQ: AND DIST: BELAGAVI-590005.

...PETITIONER

(BY SRI. SHIVAKUMAR S. BADAWADAGI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
BY ITS SECRETARY TO DEPARTMENT OF
PARLIAMENTARY AFFAIRS AND LEGISLATION,
M.S. BUILDING , BENGALURU-560001.
2. THE STATE OF KARNATAKA,
BY ITS PRINCIPAL SECRETARY TO
DEPARTMENT OF SCHOOL EDUCATION,
6TH FLOOR, M.S. BUILDING,



BENGALURU-560001.

3. THE DIRECTORATE OF VOCATIONAL COURSES,
BY ITS DIRECTOR,
3RD FLOOR, P.U BUILDING, 18TH CROSS,
SAMPIGE ROAD, MALLESHWARAM,
BENGALURU-560001.
4. THE DEPUTY DIRECTOR,
PRE-UNIVERSITY VOCATIONAL COURSES,
BELAGAVI DISTRICT, BELAGAVI.
5. AVM PU CAMP COLLEGE,
VADGAON, BELAGAVI,
BY ITS PRINCIPAL
TQ: AND DIST: BELAGAVI-590005.

...RESPONDENTS

(BY SMT. NANDINI B. SOMAPUR, AGA FOR R1-R4;
NOTICE TO R5 IS DISPENSED WITH
VIDE ORDER DATED 25/02/2026)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE THE WRIT IN THE NATURE OF CERTIORARI BY QUASHING THE RELIEVE ORDER PASSED BY THE RESPONDENT NO.5 VIDE AVM.BIDUGADE AADESHA/2011-12 DATED: 02-06-2011 VIDE ANNEXURE-D; ISSUE THE WRIT IN THE NATURE OF MANDAMUS DIRECTING THE RESPONDENTS TO ABSORB THE SERVICE OF PETITIONER FROM THE DATE OF HIS RELIEVING ORDER AS WELL AS WITH ALL ARREARS AND MONITORY BENEFITS AND ETC.

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

CORAM: THE HON'BLE MRS JUSTICE K.S.HEMALEKHA



ORAL ORDER

Since common questions of facts and law arise in these writ petitions, they are taken up together and disposed of by this common order.

2. The petitioner in WP No.101883/2024 approached this Court seeking for the following reliefs;

- a) *"Issue the writ in the nature of Certiorari by quashing the relieve order passed by the respondent No.5 vide Ref. No.2021 dated 10.06.2011 vide Annexure-D.*
- b) *Issue the writ in the nature of Mandamus directing the respondents to absorb the service of petitioner from the date of his relieving order as well as with all arrears and monitory benefits.*
- c) *Any other relief as deems fit to this Hon'ble Court, in the interest of justice and equity."*

3. The petitioner in WP No.101884/2024 approached this Court seeking for the following reliefs;

- a) *"Issue the writ in the nature of Certiorari by quashing the relieve order passed by the*



respondent No.5 vide AVM.Bidugade Aadesha/2011-12 dated 02.06.2011 vide Annexure-D.

- b) Issue the writ in the nature of Mandamus directing the respondents to absorb the service of petitioner from the date of his relieving order as well as with all arrears and monitory benefits.*
- c) Any other relief as deems fit to this Hon'ble Court, in the interest of justice and equity."*

4. Heard the learned counsel appearing for the petitioners and learned Additional Government Advocate for the respondents-State.

5. The petitioners in both writ petitions were appointed as part-time Teachers on 15.06.2006 in Job-Oriented Courses (JOC). The Government took a decision to absorb all the teaching and non-teaching staff working as part-time job oriented courses, framed "The Karnataka Part Time Job Oriented Courses Employees Absorption Rules, 2011 ('Act' for short), which notified on 06.04.2011. Clause 3(a) of the Act stipulates that "*no part time job Oriented Course employee shall be observed as mentioned*



in Clause 3, unless he has discharged the duties of the post continuously as part time Job Oriented Course employee for not less than five years without any breaks in his service for the reasons which are directly attributable to him”.

6. Pursuant to the notification, the petitioners were relieved from the services of JOC section with effect from 01.06.2011. Aggrieved by non-absorption and issuance of reliving order, the petitioners have approached this Court in these writ petitions.

7. Learned counsel for the petitioners submits that the reliving order is arbitrary and contrary to the absorption Rules 2011. It is submitted that similarly placed employees approached this Court in the case of **Kotresh @ Kotreshappa V/s. State of Karnataka and Others¹** (Kotresh @ Kotreshappa) wherein this Court quashed the reliving order and remitted the matter to the authorities

¹ WP Nos.101946/2024 C/W. 101806/2024 D.D.09.12.2025



for reconsideration. The petitioners seek parity with the said decision.

8. Learned Additional Government Advocate for respondents-State does not dispute that the similarly placed employees were granted relief by this Court. No distinguishing circumstance is pointed out to deny similar relief to the present petitioners.

9. The Co-Ordinate Bench in **Kotresh @ Kotreshappa** has held at paragraph Nos.7 and 8 as under:

"7. In that light, what is now required to be discerned is the records of the attendance produced by the petitioners versus the records of the attendance produced by the State. Therefore, the State is to look into the attendance now placed by the petitioners, compare it with the attendance maintained by the State and pass necessary orders in accordance with law. It is made clear that, except the aforesaid circumstance, nothing else is considered by this Court, as this was the only circumstance



projected by the State and only the ground urged by the petitioner.

8. In the light of the aforesaid direction, the petition deserves to succeed albeit in part.

ORDER

- (i) Both the petitions are allowed-in-part.*
- (ii) The impugned endorsement passed by the respondent No.3 in common endorsement dated 12.04.2023 at Annexure-J and the relieve order dated 01.06.2011 passed by respondent No.4 at Annexure-E in Writ Petition No.101946/2024 stand quashed.*
- (iii) The relive order dated 10.06.2011 passed by respondent No.5 at Annexure-D passed in Writ Petition No.101806/2024 stands quashed.*
- (iv) The matter is remitted back to the hands of the State to pass necessary orders bearing in mind the observations made in the course of the order with an outer limit of 4 months from the date of receipt of the copy of this order.*



(v) *It is open to the petitioners to produce any further document with the State or for the State to solicit any document from the hands of the petitioners to substantiate their claim for absorption as on the date others were absorbed."*

10. In view of the above, this Court pass the following:

ORDER

- i) The writ petitions are ***allowed-in-part***.
- ii) The impugned endorsement dated 10.06.2011 (in WP No.101883/2024) (Annexure-D) and endorsement dated 02.06.2011 (in WP No.101884/2024) (Annexure-D) issued by the respondent No.5 are hereby ***quashed***.
- iii) Respondent Nos.3 and 4 are directed to reconsider the matter afresh in terms of the notification dated 06.04.2011 and pass



appropriate orders within a period of eight (8) weeks from the date of the receipt of the copy of this order.

iv) It is needless to state that, the petitioners are at liberty to place necessary documents in support of their claim.

Sd/-
JUSTICE K.S.HEMALEKHA

PJ/CT-MCK
LIST NO.: 1 SL NO.: 3