



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 23RD DAY OF MARCH, 2026

PRESENT

THE HON'BLE MR. JUSTICE B.M.SHYAM PRASAD

AND

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

WRIT APPEAL NO. 100083 OF 2026 (S-RES)

BETWEEN:

1. VENKATESH S/O. HANUMANTH HUDEDAMANI,
AGE: 36 YEARS, OCC: PRIVATE EMPLOYMENT,
R/O: HOUSE NO.17, SHIVANAND NAGAR,
GAMANAGATTI ROAD, NAVANAGAR,
HUBLI, DHARWAD- 580 025.
2. MUKESH DEVAPPA LAMANI,
AGE: 34 YEARS, OCC: PRIVATE EMPLOYMENT,
R/O: HOOLIKERI TANDA, MURAGOD,
JANGAMABUDAGA SAVADATTI,
BELAGAVI - 591 119.
3. SHIVARAJ KUMAR KALLUR,
AGE: 30 YEARS, OCC: PRIVATE EMPLOYMENT,
R/O: BHAGYADATTA NILAYA, AFZALPUR,
GHATTERGA, KALBURAGI - 585 301.

PRESENTLY RESIDING AT: RAVI GAUDAR
BUILDING 4TH CROSS, BASAVANAGAR,
DHARWAD – 580 004.
4. VIJAYKUMAR S/O. BHOJARAJ RATHOD,
AGE: 37 YEARS, OCC: PRIVATE EMPLOYMENT,
R/O: KAMALAPUR DEVALU NAIK TANDA,
NO.8, KAMALAPUR, TQ & DIST: GULBARGA,
KALABURGI - 585 313.
PRESENTLY RESIDING AT HOOLIKERI TANDA,
MURAGED, JANGAMABUDAGA,

Digitally signed
by VISHAL
NINGAPPA
PATTIL
Location: High
Court of
Karnataka,
Dharwad
Bench



SAVADATTI, BELAGAVI - 591 119.

5. HASANPATEL MOKASHI
AGE: 37 YEARS, OCC: PRIVATE EMPLOYMENT,
R/O: MAKABOOL, SOMAJAL,
VIJAYAPURA - 586 128,
PRESENTLY RESIDING AT:
SARFARZ NAWAZ INAMDAR
#189, OPP. MASJID KOUSAR MICHIGAN,
COMPOUND, JAY NAGAR,
DHARWAD - 580 001.
6. KUPENDRA S/O. NAGENDRA NANDUR,
AGE: 35 YEARS, OCC: PRIVATE EMPLOYMENT,
R/O: WARD NO.5, BASAVA NAGAR, MASHAL,
GULBARGA, AFZALPUR - 585 217.

PRESENTLY RESIDING AT C/O
MAHANTESH M. KAVISHETTY
AT POST GULEDAGUDA,
NEAR NAGARKHANPETH,
BAGALKOT - 587 203.
7. BASAVARAJ S/O. NINGANGOUDA BIRADAR,
AGE: 38 YEARS, OCC: PRIVATE EMPLOYMENT,
R/O: SANKANAL, POST HUNSHYAL,
DIST: BIJAPUR - 586 208,
PRESENTLY RESIDING
AT: SANTOSH N. HADIMANI,
PLOT NO.472, SECTOR NO.45,
NAVANAGAR, BAGALKOT - 587 103.
8. AMEENSAHEB S/O. RAJESAHEB WALIKAR,
AGE: 42 YEARS, OCC: PRIVATE EMPLOYMENT,
R/O: MADHABHAVI, TQ: VIJAYAPURA,
DIST: BIJAPUR - 586 104,
PRESENTLY RESIDING
AT. SARFARZ NAWAZ INAMDAR,
#189, OPP. MASJID KOUSAR,
MICHIGAN COMPOUND, JAY NAGAR,
DHARWAD - 580 001.



9. ASHOK S/O. LAXMAN RATHOD,
AGE: 30 YEARS, OCC: PRIVATE EMPLOYMENT,
R/O: MADHABHAVI L T NO.02,
TQ: VIJAYAPURA, DIST: BIJAPUR - 586 104,
PRESENTLY RESIDING AT: R/O: HOOLIKERI
TANDA, MURAGOD, JANGAM ABU DAGA,
SAVADATTI, BELAGAVI - 591 119.
10. GEETA PUJARI W/O. JAGADISH HIREMATH,
AGE: 42 YEARS, OCC: PRIVATE EMPLOYMENT,
R/O: # 3693 WARD NO.5, NAYI NAGAR,
TQ: BADAMI, DIST: BAGALKOT - 587 206.
11. MANOHAR S/O. MALAPPA PUJARI,
AGE: 37 YEARS, OCC: POLICE CONSTABLE,
R/O: #1/58/2, HADANURU GRAMA,
SANNUR POST, TQ: CHITTAPURA, DIST:
KALABURAGI - 585 102. PRESENTLY RESIDING
AT: RAVI GAUDAR BUILDING, 4TH CROSS,
BASAVANAGAR, DHARWAD - 580 003.

... APPELLANTS

(BY SRI GIRISH V. BHAT, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REP. BY, ITS SECRETARY
DEPARTMENT OF EDUCATION,
6TH FLOOR, M.S. BUILDING,
DR. AMBEDKARVEEDHI,
BENGALURU - 560 001.
2. THE KARNATAKA PUBLIC SERVICE
COMMISSION, REP. BY ITS COMMISSIONER ,
PARK HOUSE, BENGALURU-560 001.
3. THE DEPARTMENT OF SOCIAL WELFARE,
REP. BY ITS SECRETARY ROOM NO.229,
VIKASSOUDAHA, 2ND FLOOR,
DR. AMBEDKAR VEEDHI,
BENGALURU-560 001.



4. KARNATAKA RESIDENTIAL EDUCATIONAL INSTITUTIONS SOCIETY,
REP. BY ITS DIRECTOR,
6TH FLOOR, CUNNINGHAM ROAD,
BENGALURU - 560 001.
5. DAYANAND MAHESH SHIPURE
AGE: 29 YEARS,
R/O: POST MOLE, TQ: ATHANI,
DIST: BELGAGAVI - 591 303.
6. IRFANULLA M. R.
AGE. 36 YEARS, OCC.
R/O: CHELGUDDA, 2ND CROSS,
CHITRADURGA- 577 501.
7. CHANDRAKANT S. INAMDAR,
AGE: 29 YEARS,
R/O: SHREEGURUDATTATREYA
SADANAARBANGALLI, NARAGUND,
GADAG - 582 207.
8. NEMAKKAMEKANAMARADI
S/O. N. C. MEKANAMARADI,
AGE: 30 YEARS,
R/O: MUGALKHOD, RAIBAG,
BELAGAVI- 591 235.
9. NAGALAKSHMI K.N.
W/O. PRANESH KUMAR,
AGE: 38 YEARS,
R/O: PRANAVA, 5TH CROSS,
4TH MAIN, UTTAM LAYOUT, SAPATAGIRI,
SOUTH TUMAKURU - 572 102.
10. PEERBAKTHAR S/O. NAZIR SAB,
AGE: 38 YEARS,
R/O: BEHIND OLD RURAL POLICE STATION,
MADAVANAGAR, GOWRIBIDANUR TOWN
CHIKKABALLAPUR - 561 208.



11. UDAYKUMAR S/O. VITHAL,
AGE: 40 YEARS,
R/O: EKLOOR WADI, POST EKLOOR,
TQ: BASAVAKALYAN,
DIST: BIDAR- 585 437.
12. SALMA UGALAWAT,
AGE: 34 YEARS,
R/O: SECTION NO.12,
PLOT NO. NAVANAGAR,
TQ AND DIST. BAGALKOT - 587 103.
13. GOPALA D. UPPARAHALLI,
AGE: 39 YEARS,
R/O: NAGALAMADIKE POST,
TQ: PAVAGADA,
DIST: TUMAKURU - 561 202.
14. KANCHANA,
AGE: 43 YEARS, OCC: -
R/O: NO. 19A NEW ADARSH COLONY,
BEHIND AIR FORCE CANTEEN GATE
NEAR OLD RTO OFFICE,
BIDAR - 585 401.

... RESPONDENTS

(BY SRI SHARAD V. MAGADUM, AGA FOR R1 AND R3)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING TO, ALLOW THE WRIT APPEAL AND SET ASIDE THE IMPUGNED ORDER PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON'BLE COURT IN W.P. NO. 100581/2024 (S-RES) (COMMON ORDER IN CONNECTED MATTER) DATED 02.12.2025 AND CONSEQUENTIALLY ALLOW THE WRIT PETITION AND GRANT SUCH OTHER ORDERS AND RELIEFS DEEMED FIT AND PROPER IN THE CIRCUMSTANCE OF THE CASE, IN THE INTEREST OF JUSTICE AND EQUITY.



THIS APPEAL, COMING ON FOR PRELIMINARY HEARING THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: THE HON'BLE MR. JUSTICE B.M.SHYAM PRASAD
AND
THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

ORAL JUDGMENT

(PER: THE HON'BLE MR. JUSTICE B.M.SHYAM PRASAD)

The appellants have called in question the Final Selection List dated 09.06.2020 published by the second respondent [*the Karnataka Public Service Commission*] announcing the list of those who are selected to be appointed as Hindi Teachers with Morarji Desai/Kittur Rani Channamma Residential Schools and the Additional List dated 13.09.2023. The writ Court has dismissed the appellants' writ petition in W.P.No.100581 of 2024 by the impugned common order dated 02.12.2025.

2. The writ Court has rejected the appellants' writ petition as also another writ petition in W.P.No.147267 of 2020 filed by another set of



petitioners who were unsuccessful in the final list dated 09.06.2020. The writ Court has rejected these petitions primarily on the ground that the appellants who have participated in the selection process without questioning the terms of the Selection Notification are *estopped* from calling in question the Final and Additional Selection Lists.

3. The Karnataka Public Service Commission, on 23.06.2017, has invited applications for appointment of Hindi Teachers with the Residential Schools as aforesaid stipulating Equivalent Qualifications based on Government Orders dated 16.08.2003 and 24.02.2004 and the Equivalent Qualification is also part of the applicable Karnataka Residential Educational Institution Society (Cadre and Recruitment) Regulations, 2011. However on 18.04.2017, three months prior to the date of the Selection Notification dated 23.06.2017 inviting the applications, the Government has issued Order dated



18.04.2017 cancelling the equivalence withdrawing the Orders dated 16.08.2003 and 24.02.2004.

4. The appellants have participated in the selection process, and they have also been issued with notices for document verification. The second respondent has published the Final Selection List on 09.06.2020 and the appellants have not figured in this list and the second respondent has published Additional List dated 13.09.2023 and the appellants figure in this list.

5. The appellants' grievance is that those with Equivalent Qualification have been selected and are part of both the Final List dated 09.06.2020 and the Additional List dated 13.09.2023 and because these with Equivalent Qualification are considered, the appellants have been denied the opportunity of selection. Sri Girish V. Bhat, the learned counsel for the appellants, submits that in the peculiarities of this case, an exception must be made and the



principle of *estoppel* should not be applied; and in elaboration, the learned counsel submits that the appellants, because the notification inviting applications is published on 23.06.2017, were not aware of the Government Order dated 18.04.2017 and as such the appellants have not filed objections or called in question the selection based on Equivalent Qualification.

6. Sri Sharad Magadum, the learned Additional Government Advocate who is called upon to accept notice for the first and third respondents, is heard in the light of these submissions and the records are perused. This Court must record three important factors. The first is that the appellants have participated in the selection process without any demur. The second is that the Final Selection List is published on 09.06.2020 and the appellants are not part of this list but they have not called in question the same. It remains undisputed that those who claim the benefit of Equivalent Qualification are part



of this final list. The third is that the second respondent has published the Additional List with the appellants' name on 13.09.2023 and it is at this stage, though not immediately, the appellants have preferred the writ petition in W.P.No.100581 of 2024.

7. These aspects show that the appellants are not diligent. There is a delay of over 4 years in calling in question the Final Selection List, which had those with the Equivalent Qualification. If delay is one of the factors, the other definitely is the proposition that the appellants have participated in the selection process without calling in question the notification and that they have chosen to file the petition only after [much after] the Additional List. The Appellants saw a chance with their names being included in the additional list, and when their participation did not move beyond this, they have filed their petitions. This Court cannot but opine that there is an element of speculation and hence there is



no reason for interference with the writ Court's
impugned order.

In the light of the afore, the writ appeal is
rejected, rejecting the application for condonation of
delay in filing the appeal.

**Sd/-
(B.M.SHYAM PRASAD)
JUDGE**

**Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE**

KGK / CT: ASC
List No.: 2 Sl No.: 2