



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 27TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MRS JUSTICE GEETHA K.B.

WRIT PETITION NO.102207 OF 2025 (S-KAT)

BETWEEN:

SHRI. N.R. PATIL,
AGE. 69 YEARS,
OCC. DEPUTY CONSERVATOR OF FOREST (RETD.),
R/O. MIG-12, OLD HUDCO COLONY,
NEAR AMBEWADI POST OFFICE,
BASAWESHWARA NAGAR, DANDELI-581325,
TQ. DANDELI, DIST. UTTAR KANNADA.

...PETITIONER

(BY SRI. A.S. PATIL, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS UNDER SECRETARY,
TO THE DEPARTMENT OF FOREST,
ECOLOGY AND ENVIRONMENT (SERVICES),
M.S. BUILDING, BENGALURU-560001.



2. THE PRINCIPAL CHIEF CONSERVATOR OF FOREST,
(HEAD OF FOREST FORCE),
4TH FLOOR, "ARANYA BHAVAN",
18TH CROSS, MALLESHWARAM,
BENGALURU-560008.

...RESPONDENTS

(BY SRI. SHARAD V.MAGADUM, ADDL. GOVT. ADV. FOR R1
AND R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE WRIT OF CERTIORARI OR ANY OTHER ORDER OR DIRECTION QUASHING THE IMPUGNED ORDER DATED 07.11.2023 PASSED IN APPLICATION NO.10774/2022 PASSED BY THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL AT BELAGAVI AS PER ANNEXURE-C AND TO ALLOW THE APPLICATION NO.10774/2022 AS PRAYED FOR BY THE PETITIONER AND ISSUE ANY OTHER APPROPRIATE WRIT OR ORDER OR DIRECTION WHICH DEEMS FIT TO GRANT BY THIS HON'BLE COURT IN THE FACTS AND CIRCUMSTANCES OF THE CASE.

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

CORAM: THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
AND
THE HON'BLE MRS JUSTICE GEETHA K.B.



ORAL ORDER

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The petitioner has filed the present writ petition impugning an order dated 07.11.2023 passed by the learned Karnataka State Administrative Tribunal, Belagavi [KAT], in application No. 10774/2022.

2. The petitioner had filed the said application (Application No.10774/2022) impugning an endorsement dated 25.05.2022 rejecting the petitioner's claim for up-gradation of his pay scale to bring it in parity with the emoluments of one Shri D.N.Aghore.

3. The petitioner was appointed as a Range Forest Officer on 03.11.1980 and superannuated from service on 31.03.2015. It is his claim that, under the revised seniority list subsequently published, the petitioner was senior to one Shri D.N.Aghore. However, Shri D.N.Aghore was drawing higher emoluments than him. According to the petitioner, this is impermissible, and therefore, on the principle of parity, he was entitled to emoluments, which were not less than those drawn by Shri D.N.Aghore.



4. It was found that Shri D.N.Aghore was promoted to the cadre of Assistant Conservator with effect from 01.07.1994, and cadre of Deputy Conservator of Forests with effect from 16.11.2002. The petitioner was promoted in those cadres on 03.06.1997 and 05.02.2009 respectively. Thus, undisputedly, Shri D.N.Aghore was promoted to higher posts prior to the promotions awarded to the petitioner.

5. At this stage it is necessary to note that there is no challenge to the promotion granted to Shri D.N.Aghore ahead of the promotion granted to the petitioner.

6. In the aforesaid circumstances, the representation made by the petitioner for parity of emoluments was rejected. The learned KAT rejected the petitioner's claim with the observation that, *"it is a settled principle that if a senior joins a higher post later than the junior for whatever reasons, whereby he starts drawing less pay than the junior, in such cases senior cannot claim stepping up of pay on par with that of his junior"*.



7. We find no infirmity with the said conclusion. The present writ petition is unmerited and, accordingly, dismissed.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(GEETHA K.B.)
JUDGE**

MBS
CT: UMD
List No.: 1 SI No.: 22