



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 25TH DAY OF MARCH, 2026

PRESENT

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

AND

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

WRIT PETITION NO. 101668 OF 2025 (S-KAT)

BETWEEN:

1. THE STATE OF KARNATAKA,
REP. BY PRL SECRETARY,
DEPARTMENT OF SCHOOL EDUCATION
AND LITERACY, 6TH FLOOR,
M. S. BUILDING,
DR. AMBEDKAR VEEDHI,
BENGALURU – 560 001.
2. THE COMMISSIONER OF
PUBLIC INSTRUCTIONS
DEPARTMENT OF SCHOOL
EDUCATION AND LITERACY
NRUPATUNGA RAOD,
BANGALORE – 560 001.
3. THE COMMISSIONER OF
PUBLIC INSTRUCTIONS,
DEPARTMENT OF EDUCATION,
DHARWAD -580 001, DIST: DHARWAD.
4. THE DEPUTY DIRECTOR OF PUBLIC
INSTRUCTIONS,
DHARWAD – 580 001.

... PETITIONERS

(BY SRI. SHARD V. MAGADUM, AGA)



AND:

SMT. JAYASHREE
D/O. MARTANDAPPA MALAGI,
AGED ABOUT 56 YEARS,
OCC: CRAFT TEACHER, KARNATAKA PUBLIC
SCHOOL, KARADI GUDDA – 580 201,
TQ & DIST: DHARWAD, R/O: H. NO.112,
3RD CROSS, MURUGHA RAJENDRA NAGAR,
HEBBALLI AGASI,
DHARWAD – 580 001.

...RESPONDENT

(BY SRI. RAMESH I. ZIRALI, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES
226 AND 227 OF THE CONSTITUTION OF INDIA
PRAYING TO, CALL FOR RECORDS IN APPLICATION
NO.10123/2024 ON THE FILE OF THE HON'BLE
KARNATAKA STATE ADMINISTRATIVE TRIBUNAL,
BELAGAVI. TO ISSUE A WRIT OF CERTIORARI OR ANY
OTHER APPROPRIATE WRIT, ORDER OR DIRECTION
SETTING ASIDE THE IMPUGNED ORDER DATED
21-06-2024 IN A.NO.10123/2024, PASSED BY THE
KARNATAKA STATE ADMINISTRATIVE TRIBUNAL,
BELAGAVI, VIDE ANNEXURE-C.

THIS WRIT PETITION, COMING ON FOR
PRELIMINARY HEARING THIS DAY, ORDER WAS MADE
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 respondent has successfully prosecuted her application in No.10123 of 2024 with the Karnataka State Administrative Tribunal, Belagavi [for short, '*the Tribunal*']. The Tribunal, by the impugned order dated 21.06.2024, has interfered with the second petitioner's Endorsement dated 02.12.2022 directing the petitioners to consider the respondent's representation for promotion as DIET Lecturer with retrospective effect from the date from which a junior in the seniority list is promoted. The Tribunal has directed compliance with its directions within four months from the date of receipt of a certified copy of the order.

2. The State Government and the Senior Officers with the Department of School Education and Literacy [*the petitioners*] are aggrieved by the Tribunal's decision. The second petitioner has issued the Endorsement dated 02.12.2022 informing the



respondent that she cannot be considered for promotion as DIET Lecturer because she is working as Craft Teacher Grade-II and the promotional avenue would only be to those who are working as Craft Teacher Grade-I. The Tribunal has interfered with the Endorsement dated 02.12.2022 essentially for the following three reasons:

[A] The petitioner has responded to the application for an appointment in the year 1993 based on her SSLC certificate and a Craft certificate which, according to the C&R Rules, would be the requisite qualification for Craft Teacher Grade-I. The Tribunal has observed that for Craft Teacher Grade-I, the prescribed qualification is 7th standard with a Certificate in Craft.

[B] the respondent is mentioned in the seniority list of Craft Teachers Grade-I



in the years 2011, 2017, 2018 and 2023.

[C] The respondent's eligibility to promotion as DIET Lecturer must be considered in the light of her seniority amongst the Craft Teacher Grade-I.

3. Sri Sharad V. Magadum, the learned Additional Government Advocate submits that this Court must intervene because **[i]** the respondent is appointed under the notification which expressly stipulates that the applications will be filed for posts with the pay scale of Rs.550-1050/-, the pay scale admissible to the Craft Teacher Grade-II; **[ii]** the State Government, as way back in the year 2004, has issued a Circular stipulating that everyone who is appointed to the post in the pay scale of Rs.550-1050/- must be treated as Craft Teacher Grade-II; **[iii]** The entries in the respondent's service book, the pay scale is mentioned as Rs.1040-1900/- but without mentioning the Grade. The learned counsel



submits that these circumstances must overrule the reasons assigned by the Tribunal.

4. Sri Ramesh I. Zirali, the learned counsel for the respondent is heard in the light of this canvas. This Court must find that, as observed by the Tribunal, the petitioners cannot dispute that the respondent is appointed based on a qualification which is the qualification for Craft Teacher Grade-I or that the pay scale in her service book corresponds to the pay scale admissible to Craft Teacher Grade-I and that notwithstanding the perpetuate Circular issued in the year 2004, the respondent's seniority is in the list of Craft Teacher Grade-I.

5. These circumstances must prevail, and the Circular issued in the year 2004, which has not been implemented insofar as the respondent is concerned, cannot be cited for the first time to deny a promotion that has been earned working in the feeder cadre. Therefore, no exception can be taken by the



Tribunal's order, and the writ petition stands ***disposed of*** calling upon the first and the second petitioners to ensure that the respondent is admitted to promotion in terms of Tribunal's direction within 6 months from the date of receipt of a certified copy of this order.

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

Sd/-
(SHIVASHANKAR AMARANNAVAR)
JUDGE