



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 26TH DAY OF FEBRUARY, 2026

PRESENT

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

AND

THE HON'BLE MR. JUSTICE B. MURALIDHARA PAI

WRIT APPEAL NO. 100712 OF 2025 (S-RES)

BETWEEN:

SMT. TRUPTI BIRADAR PATIL,
AGE. 29 YEARS, OCC. PRESENTLY UNEMPLOYED,
R/O. CHIKK-SANSI, AT POST: DEVANALA,
TQ. AND DIST. BAGALAKOTE-587 204.

... APPELLANT

(BY SRI ROSHAN SAHEB CHABBI, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
URBAN DEVELOPMENT DEPARTMENT,
R/BY ITS PRINCIPAL SECRETARY,
VIKASA SOUDHA, BENGALURU-560 001.
2. THE DIRECTORATE
OF MUNICIPAL ADMINISTRATION,
R/BY ITS DIRECTOR, 9TH AND 10 FLOOR,
VISHVESHWARIAH TOWER,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU-560 001.
3. THE DEPUTY COMMISSIONER,
OFFICE OF THE DEPUTY COMMISSIONER,
NAVANAGAR, BAGALAKOTE-587 103.
4. THE PROJECT DIRECTOR,
DISTRICT URBAN DEVELOPMENT CELL,
DISTRICT ADMINISTRATIVE BUILDING
(JILLA AADALITA BHAVANA),
NAVANAGAR, BAGALAKOTE,
DIST. BAGALAKOTE-587 103.





5. THE TAHASHILDAR,
BESIDE COURT COMPLEX,
RANNA CIRCLE, MUDHOL, TQ. MUDHOL,
DIST. BAGALAKOTE-587 313.
6. THE CHIEF OFFICER,
THE TOWN PANCHAYAT,
LOKAPUR, TQ. MUDHOL,
DIST. BAGALAKOTE -587 122.
7. MRM MAN POWER AGENCY,
R/BY ITS PROPRIETOR,
NEAR LIONS SCHOOL, EXTENSION AREA,
BAGALAKOTE, DIST. BAGALAKOTE-587 101.
8. SHRI ABDUL H/O. AFREEN BANKAPUR,
AGE: MAJOR, OCC. KNOWN AS MANAGER,
MRM MAN POWER AGENCY,
NEAR LIONS SCHOOL, EXTENSION AREA,
BAGALAKOTE, DIST. BAGALKOTE-587 101.
9. SHRI HRUTIK MOMIN,
AGE: MAJOR, OCC. JUNIOR PROGRAMMER,
R/O. C/O. THE CHIEF OFFICER,
THE TOWN PANCHAYAT, LOKAPUR,
TQ. MUDHOL, DIST. BAGALAKOTE-587 122.
10. THE DEPUTY DIRECTOR OF HORTICULTURE,
OFFICE OF THE DEPUTY DIRECTOR
OF HORTICULTURE (Z.P.),
A.P.M.C. YARD, BAGALAKOTE,
DIST. BAGALKOTE-587 103.
11. THE LABOUR OFFICER,
ROOM NO.243, 2ND FLOOR,
DISTRICT ADMINISTRATIVE BUILDING
(JILLA AADALITA BHAVANA), NAVANAGAR,
BAGALAKOTE, DIST. BAGALAKOTE-587 103.

... RESPONDENTS

(BY SRI G.K. HIREGOUDAR, PGA, ACCEPT NOTICE FOR R1 TO R6;
NOTICE TO R7 TO R9 IS DISPENSED WITH)



THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE THE JUDGMENT/ORDER DATED 11/09/2025 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. NO.101158 AND RESTORE THE WRIT PETITION IN W.P. NO.101158/2025, WITH A DIRECTION TO THE LEARNED SINGLE JUDGE TO DISPOSE OF THE WRIT PETITION IN W.P. NO.101158/2025, UPON CONSIDERING THE CASE ON MERITS; OR MODIFY THE IMPUGNED ORDER/JUDGMENT DATED 11/09/2025 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. NO.101158/2025, THEREBY GRANTING THE RELIEFS SOUGHT BY THE APPELLANTS/PETITIONERS, IN W.P. NO.101158/2025, IN THE LIGHT AND IN THE SPIRIT OF THE OBSERVATIONS MADE BY THE SUPREME COURT OF INDIA, IN THE FOLLOWING CASES,

- a) WORKMEN OF THE FOOD CORPORATION OF INDIA VS. FOOD CORPORATION OF INDIA; (1985) 2 SCC 136.
- b) JAGGO VS. UNION OF INDIA; 2024 SCC ONLINE SC 3826.
- c) MANISH GUPTA AND ANOTHER V/S. PRESIDENT, JAN BHAGIDARI SAMITI AND OTHERS; (2022) 15 SCC 540.
- d) SECRETARY, H.S.E.B. V/S. SURESH AND ORS; (1999) 3 SCC 601.
- e) RATTAN LAL AND OTHERS V/S. STATE OF HARYANA AND OTHERS; (1985) 4 SCC 43.
- f) DEEPALI GUNDU SURWASE V/S. KRANTI JUNIOR ADHYAPAK AND OTHERS; (2013) 10 SCC 324.

AND CONSEQUENTLY, DIRECT THE RESPONDENTS TO PAY THE COST OF LITIGATION TO THE APPELLANTS/PETITIONERS AND ETC.

THIS APPEAL IS COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

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



ORAL JUDGMENT

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

The case of the appellant is that she had filed Writ
Petition No.101158/2025 (S-RES) with the following prayers:

"(i) Issue a Writ of mandamus directing the Respondents No.1 to 6, to reinstate the employment of the Petitioner in the same post of 'Junior Programmer', in the office of the Respondent No.6/the Chief Officer, Town Panchayat, Lokapur, until regular appointments are made against the said post, by the appropriate Government, under the Constitutional Scheme of Public employment, by considering the representations dated 13/11/2024, 10/12/2024, 12/12/2024, 17/12/2024 vide Annexure - D, D1, H, J, J1 and L, submitted by the petitioner and comply the order dated 03/12/2024 passed by the Respondent No.11/Labour Officer, Bagalakote, vide Annexure-G within a outer time limit of 2 weeks from the date of order, in the top noted petition; and

(ii) Declare the Petitioner as a direct/insourced contractual employee of the Respondent No.6, entitled for all the service benefits, facilities and as entitled for periodical hike of salary and other monetary benefits, available and permissible under Law, to the Petitioner. and/or

(iii) Pass any other order(s) as this Hon'ble Court may deem fit in the interests of justice and equity."



2. It is the case of the appellant that her representation seeking continuation of her service till regular recruitment is made was not considered by the authorities concerned, and that she never prayed for regularization of her services. However, the learned Single Judge has wrongly recorded in paragraph No.2 of the order that she has sought for regularization of her services and has accordingly issued a direction to the authorities to consider her request.

3. Aggrieved by the observation that her request was not for regularization of her services, but only for continuation of her services till regular employment is made, the present appeal is filed. It is further prayed that a positive direction was not granted by the learned Single Judge to continue her in appointment till alternative appointments are made.

4. Learned Principal Government Advocate upon instructions submits that there is only a typographical error in paragraph No.2 of the order and it does not warrant interference. He further submits that the State is willing to consider her request in accordance with law and pass suitable



orders. However, he hastens to add that the petitioner is not entitled to ask for relief as prayed for in the writ petition as a matter of right, because admittedly her services were engaged on a contractual basis through an agency. She does not have a vested right to continue in employment, if the employer does not want to continue her employment.

5. Under the said circumstances, we are of the opinion that interest of justice would be met, if a direction is issued to the authorities concerned, to consider the request of the appellant in the manner known to law and pass appropriate orders thereafter, reserving liberty to the appellant to challenge the same in the manner known to law, if she dissatisfied the same. Hence, the following:

ORDER

- (i) Appeal is disposed of.
- (ii) Liberty is granted to the appellant to make a detailed representation about her prayer to the concerned respondent. If same is made, the concerned respondent shall consider the request of the appellant in the manner known



to law, within a period of four weeks thereafter,
and pass appropriate orders.

**Sd/-
(M.I.ARUN)
JUDGE**

**Sd/-
(B. MURALIDHARA PAI)
JUDGE**

CKK
CT:BCK
LIST NO.: 1 SL NO.: 42