



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 6TH DAY OF JULY, 2026

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE TYAGARAJA N. INAVALLY

WRIT PETITION NO.201002 OF 2023 (S-KAT)

BETWEEN:

THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
WATER RESOURCES DEPARTMENT (SERVICES-A),
VIKASA SOUDHA,
BENGALURU-560 001.

...PETITIONER

(BY SMT. MAYA T.R., AGA)

AND:

1. SRI SHIVASHANKARAPPA YELLAPPA CHALAWADI,
AGED ABOUT: 61 YEARS,
S/O SRI YELLAPPA CHALAWADI,
OCC: ASSISTANT EXECUTIVE ENGINEER,
KRISHNA BHAGYA JALA NIGAM LIMITED,
I.B.C. SUB-DIVISION NO.18,
JERADERGI
JEVARGI TALUK,
KALABURAGI DISTRICT.

2. THE MANAGING DIRECTOR,
KRISHNA BHAGYA JALA NIGAMA LIMITED,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU-560 001.

...RESPONDENTS

(BY SRI SANTOSH R. BELAMGI, ADVOCATE FOR R1;
SRI KRUPA SAGAR PATIL, ADVOCATE, FOR R2)





THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF CONSTITUTION OF INDIA, 1950, PRAYING TO A WRIT OF CERTIORARI OR ANY OTHER WRIT OR DIRECTION TO QUASH THE IMPUGNED ORDER DATED 25.05.2021 IN APPLICATION NO.20052/2021 PASSED BY THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL, KALABURAGI, AS AT ANNEXURE-B AND DISMISS THE APPLICATIONS OF THE RESPONDENT NO.1.

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

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MR. JUSTICE TYAGARAJA N. INAVALLY

ORAL ORDER

(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)

This writ petition is preferred challenging the order dated 25.05.2021 by the Karnataka State Administrative Tribunal, Kalaburagi [for short 'Tribunal'] in Application No.20052/2021.

2. The Tribunal had considered the contentions advanced in the application and had found that the order passed by the Disciplinary Authority without considering the reply submitted to the second show cause notice is bad in law. It was found that earlier an



order had been passed, which was challenged before the Tribunal and the earlier penalty order had been quashed by the Tribunal on the ground that the 1st respondent had not considered the reply filed by the applicant to the second show of cause notice. Even thereafter, it was found by the Tribunal that the reply submitted by the Officer to the second show cause notice had not been considered. The Tribunal had therefore quashed the order of penalty and had remanded the matter for a consideration in terms of the earlier order of the Tribunal in Application No.2172/2009 and connected cases.

3. We have heard the learned Addl. Government Advocate appearing for the petitioner as well as learned counsel for the respondent.

4. We noticed that the fact that the reply to the second show cause notice had not been considered



before the order of penalty was passed, is not seriously disputed even in this petition. The consideration of a reply to the second show cause notice is an aspect of compliance with the principles of natural justice in a disciplinary proceeding and the petitioner cannot take a stand that such a reply does not have to be considered.

5. Further, in the instant case, there was an earlier penalty which had been set aside on the specific ground that the reply to the second show cause notice had not been considered.

6. In the above circumstances, we are of the opinion that there is no apparent illegality or error in the order of the Tribunal directing the consideration of the second reply to the second show cause notice before passing orders.

7. In the above view of the matter, we are of the opinion that there is no ground to interfere with the



order of the Tribunal. The petition therefore fails and accordingly, it is dismissed.

8. In view of dismissal of the petition, all pending applications, if any, shall stand dismissed.

Sd/-
(ANU SIVARAMAN)
JUDGE

Sd/-
(TYAGARAJA N. INAVALLY)
JUDGE

SBS
List No.: 1 Sl No.: 12