



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 25TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE PRADEEP SINGH YERUR

WRIT PETITION NO.200913 OF 2026 (S-R)

BETWEEN:

SHARNAPPA S/O BASAPPA,
AGE: 72 YEARS, OCC: RETIRED LEADING
FIREMAN DEPUTY DIRECTOR KAR STATE FIRE AND
EMERGENCY SERVICE BENGALORE R/O
MALLIKARJUN COLONY, NAUBAD BIDAR-585401.

...PETITIONER

(BY SRI JAIRAJ KASHAPPA BUKKA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY ITS PRL. SECRETARY
HOME DEPARTMENT,
ROOM NO.219, II FLOOR,
VIKAS SOUDHA, BENGALURU-560001.
2. THE DEPUTY DIRECTOR,
KAR STATE FIRE AND EMERGENCY SERVICE,
BANGALORE-560001.
3. THE PRINCIPAL ACCOUNTANT GENERAL,
(A AND E) KARNATAKA KABBAN PARK,
HOUSE ROAD, BANGALORE-560001.

...RESPONDENTS

(BY SRI MALLIKARJUN SAHUKAR, AGA FOR R1 & R2;
SRI SUDHIRSINGH R. VIJAPUR., DSGI FOR R3)





THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ALLOW THE WRIT PETITION AND THEREBY **A)** ISSUE WRIT IN NATURE OF MANDAMUS DIRECTING THE RESPONDENT AUTHORITIES TO CONSIDER THE PETITIONER REPRESENTATION DATED 20-02-2026 VIDE **ANNEXURE C**, IN THE INTEREST OF JUSTICE AND EQUITY. **B)** ISSUE WRIT IN NATURE OF MANDAMUS DIRECTING THE RESPONDENT AUTHORITIES REFUND THE EXCESS AMOUNT OF COMMUTATION OF PENSION HAVING ALREADY PAID STARTING FROM 10-03-2014 TO 10-11-2024 AND THE COMMUTATION PENSION IS TO BE MODIFIED TO 10 YEARS AND 8 MONTHS INSTEAD OF 15 YEARS AND SAME SHALL BE MODIFIED IN THE PENSION PAYMENT ORDER, IN THE INTEREST OF JUSTICE AND EQUITY. **C)** ISSUE A WRIT IN NATURE OF MANDAMUS DIRECTING THE RESPONDENT AUTHORITY TO REFUND THE AMOUNT OF RS 58455/- WHICH IS COLLECTED TILL DATE, IN THE INTEREST OF JUSTICE AND EQUITY. **D)** ISSUE A WRIT IN NATURE OF MANDAMUS DIRECTING THE RESPONDENT AUTHORITY UNTIL SUCH REPRESENTATION IS CONSIDERED AND ORDER IS PASSED NO RECOVERY CAN BE MADE FROM THE PETITIONER, IN THE INTEREST OF JUSTICES AND EQUITY. **E)** ISSUE WRIT IN NATURE OF MANDAMUS DIRECTING THE RESPONDENT AUTHORITIES TO PAY THE FULL PENSION AND EXTEND ALL THE CONSEQUENTIAL BENEFITS TO THE PETITIONER ARISING THERETO, IN THE INTEREST OF JUSTICE AND EQUITY. **F)** ISSUE A WRIT OR ANY OTHER ORDER DIRECTION AS DEEMS FIT IN THE PRESENT CIRCUMSTANCE OF THE CASE.

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

CORAM: HON'BLE MR. JUSTICE PRADEEP SINGH YERUR



ORAL ORDER

Heard the learned counsel for the petitioner, learned Additional Government Advocate, who accepts notice for respondent Nos.1 and 2 and Sri Sudhirsingh R. Vijapur, the Deputy Solicitor General of India, who accepts notice for respondent No.3.

2. This petition is filed by the petitioner seeking the following reliefs:

"Wherefore it is most humbly prayed that this Hon'ble Court may please allow the Writ Petition and thereby

"a) Issue Writ in nature of mandamus directing the respondent authorities to consider the petitioner representation dated 20-02-2026 vide Annexure C, In the interest of justice and Equity.

"b) Issue Writ in nature of mandamus directing the respondent authorities refund the excess amount of commutation of pension having already paid starting from 10-03-2014 to 10-11-2024 and the Commutation pension is to be modified to 10 Years and 8 months instead of 15 years and same shall be



modified in the Pension Payment order, In the interest of justice and Equity.

c) *Issue a Writ in nature of mandamus directing the respondent authority to refund the amount of Rs 58455/- which is collected till date, In the interest of justice and equity.*

d) *Issue a Writ in nature of Mandamus directing the respondent authority until such representation is considered and order is passed no recovery can be made from the petitioner, In the interest of justices and equity.*

e) *Issue Writ in nature of mandamus directing the respondent authorities to pay the full pension and extend all the consequential benefits to the petitioner arising thereto, In the interest of justice and Equity.*

f) *Issue a Writ or any other order direction as deems fit in the present circumstance of the case."*

3. Petitioner was the Fire Station Officer at Office of the Deputy Director KAR State Fire and Emergency Services, Bengaluru and after attaining superannuation, he filed pension papers before the respondent authorities seeking to disburse his pension. Based on which, the respondent authorities granted the pension vide PPO



No.1114KCS64578, set the pension for the amount of Rs.11,692/-, commuted pension was set at Rs.3,897/- and monthly reduced pension was set at Rs.7,795/- and the commuted amount of Rs.3,897/- is to be deducted upto 10.03.2014 starting from 09.03.2029.

4. Petitioner made a representation dated 20.02.2026 before the respondent authorities seeking reduction of the deduction period for the commutation amount from 15 years to 10 years and 8 months. However, the same was not considered. Hence, the petitioner is perforced to approach this Court.

5. Learned counsel for the petitioner contends that the Co-ordinate Bench of this Court at Dharwad Bench in W.P.No.105244/2025 and the Principal Bench, Bengaluru, in W.P.No.23448/2024 have considered similar prayer of other employees and stayed the deduction from the pension. It is also submitted by the learned counsel for the petitioner that the Co-ordinate Bench of this Court in



W.P.No.108193/2025 at Dharwad Bench and W.P.No.19172/2024 at the Principal Bench, Bangaluru, passed an order directing the respondent authorities to consider the representation of the petitioners therein. Therefore, the petitioner seeks similar order in his favour, as he is similarly placed as that of those petitioners. In view of non-consideration of the representation so made by the petitioner dated 20.02.2026 at Annexure-C, he is before this Court.

6. Having heard the learned counsel for the petitioner and the learned Additional Government Advocate appearing for respondent Nos.1 and 2-State and on perusal of the orders relied upon by the petitioner which are annexed to the petition, this Court deems it appropriate to allow the petition with a direction to consider petitioner's representation dated 20.02.2026, in the manner known to law and in accordance to the similar orders passed by this Court on the earlier occasion.



7. Accordingly, I pass the following:

ORDER

- i. The petition is allowed.
- ii. The writ of mandamus is issued directing respondent Nos.2 and 3 to consider the representation of the petitioner dated 20.02.2026 vide Annexure-C and pass suitable orders within a period of eight weeks from the date of receipt of copy of this order.
- iii. It is also needless to mention that no recovery proceedings shall be initiated until consideration of the representation of the petitioner. Petitioner is at liberty to produce any additional material in support of his case before the concerned authorities.

**Sd/-
(PRADEEP SINGH YERUR)
JUDGE**

RSP
LIST NO.: 2 SL NO.: 4
CT:SI