



IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 16TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE M.G.S.KAMAL

WRIT PETITION NO. 201638 OF 2024 (S-PRO)

C/W

WRIT PETITION NO. 201277 OF 2024 (S-PRO)

IN WP.NO.201638/2024:

BETWEEN:

SRI RAJAKUMAR S/O BHEMA RAO,
AGE: 43 YEARS, WORKING AS
JUNIOR HEALTH INSPECTOR
O/O THE MAHANAGARA PAALIKE,
JAGATH CIRCLE, MARKET ROAD,
GULBARGA-585101,
R/ AT JAWARAGI ROAD, AMBIKA NAGARA,
GULBARGA-585101.

...PETITIONER

(BY SRI SHANTHARAJU, ADVOCATE)

AND:

1. PRINCIPAL SECRETARY TO
GOVERNMENT, DEPARTMENT OF
MUNCIPAL ADMINISTRATION,
VIKASA SOUDHA, BENGALURU-560001.
2. DIRECTOR OF MUNCIPAL ADMINISTRATION,
9TH FLOOR, V V GOPURA,
DR. B. R. AMBEDKAR VEEDI,
BENGALURU-560001.

Digitally signed
by SHIVALEELA
DATTATRAYA
UDAGI

Location: HIGH
COURT OF
KARNATAKA



3. COMMISSIONER
MAHANAGARA PAALIKE,
KALABURAGI-585104.
4. SRI NAGENDRA
AGE:35 YEARS, WORKING AS
SENIOR HEALTH INSPECTOR,
OFFICE OF THE MAHANAGARA PAALIKE,
GULBARGA-583101.

...RESPONDENTS

(BY SRI MALLIKARJUN SAHUKAR, AGA FOR R1 AND R2;
SRI D.P. AMBEKAR, ADVOCATE FOR R3;
SRI GANESH S. KALBURGI, ADVOCATE FOR R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO a) CALL FOR THE RECORDS FROM THE RESPONDENT IN RELATION TO THE PROMOTION ORDER ISSUED BY THE 2ND RESPONDENT DATED 15.02.2022. b) ISSUE WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT OR ORDER TO SET ASIDE THE ORDER NO. 16650/DMA/112/CEST/2016-17 DATED 15.02.2022 ISSUED BY THE 2ND RESPONDENT AS PER ANNEXURE-D IN SO FAR AS THE 4TH RESPONDENT IS CONCERNED AND DIRECT THE RESPONDENT TO CONSIDER THE REPRESENTATIONS DATED 16.02.2022 AS PER ANNEXURE-E AND DIRECT THE RESPONDENT TO PROMOTE THE PETITIONER TO THE POST OF SENIOR HEALTH INSPECTOR AGAINST THE ROSTER POINT NO. 01 OR 07 WHICH ARE IDENTIFIED FOR THE SCHEDULE CASTE CATEGORY TO WHICH THE 4TH THE RESPONDENT WAS PROMOTED. c) ISSUE WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT OR ORDER TO SET ASIDE THE ORDER PASSED BY THE 1ST RESPONDENT



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IN APPEAL NO.NA,AAE54MNE2022 DATED 09.12.2022 AT
ANNEXURE-J. d) PASS ANY OTHER ORDER/S DEEMS FIT
UNDER CIRCUMSTANCES OF THE CASE.

IN WP.NO. 201277/2024:

BETWEEN:

SRI RAJAPPA
S/O SHANKARA KATTIMANI,
AGE:39 YEARS,
OCC: JUNIOR HEALTH INSPECTOR,
OFFICE OF THE MAHANAGARA PALIKE,
KALABURAGI-585104,
R/AT HOUSE NO. NIL,
C/O CHANDRASHEKARA,
VEERESH NAGARA, OPP. TO
MAHENDRA SHOWROOM ROAD,
KALABURAGI-585104.

...PETITIONER

(BY SRI SHANTHARAJU, ADVOCATE)

AND:

1. PRINCIPAL SECRETARY TO GOVERNMENT,
DEPARTMENT OF MUNICIPAL,
ADMINISTRATION, VIKASA SOUDHA,
BENGALURU-560001.
2. DIRECTOR OF MUNICIPAL ADMINISTRATION,
9TH FLOOR, V V TOWER,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU-560001.
3. COMMISSIONER,
MAHANAGARA PALIKE,
KALABURAGI-585104.



4. SRI SANGAMESH
AGE: 40 YEARS,
WORKING AS
SENIOR HEALTH INSPECTOR,
OFFICE OF THE MAHANAGARA PALIKE,
BALLARY-583101.
5. SRI NAGENDRA
AGE: 35 YEARS, OCC: WORKING AS
SENIOR HEALTH INSPECTOR,
OFFICE OF THE MAHANAGARA PALIKE,
GULBARGA-585102.

...RESPONDENTS

(BY SRI MALLIKARJUN SAHUKAR, AGA FOR R1 AND R2;
SRI GOURISH S. KHASHAMPUR, ADVOCATE FOR R3;
SRI RAVI B. PATIL, ADVOCATE FOR R4;
SRI GANESH S. KALBURGI, ADVOCATE FOR R5)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO A) CALL FOR THE RECORDS PERTAINS TO THE PROMOTION OF 9 JUNIOR HEALTH INSPECTORS TO THE NEXT CADRE WITHOUT APPLYING THE ROSTER POINTS AS PER LAW. B) ISSUE WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT OR ORDER TO SET ASIDE THE ORDER NO. 16650/DMA/112/CEST/2016-17 DATED 15.02.2022 ISSUED BY THE 2ND RESPONDENT AS PER ANNEXURE-D IN SO FAR AS THE 5TH RESPONDENT IS CONCERNED AND DIRECT THE RESPONDENT TO CONSIDER THE REPRESENTATIONS DATED 21.2.2022 AND 22.2.2022 AS PER ANNEXURE-E AND F AND DIRECT THE RESPONDENT TO PROMOTE THE PETITIONER TO THE POST OF SENIOR HEALTH INSPECTOR AGAINST THE ROSTER POINT NO.07 WHICH IS MEANT FOR THE SCHEDULED CASTE CATEGORY IN WHICH THE 5TH RESPONDENT IS WORKING. C) PASS ANY OTHER ORDER/S DEEMS FIT UNDER CIRCUMSTANCES OF THE CASE.

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



CORAM: HON'BLE MR. JUSTICE M.G.S.KAMAL

ORAL ORDER

(PER: HON'BLE MR. JUSTICE M.G.S.KAMAL)

The petitioners in both writ petitions, who are working as Junior Health Inspectors under respondent No.3-Mahanagara Paalike, Kalaburagi, since 2018 under Hyderabad-Karnataka Reservation quota, are before this Court being aggrieved by the promotion order produced at Annexure-D dated 15.02.2022 on the premise that though their names find place in the seniority list vide Annexure-D at Sl.No.10, they have been denied promotion without applying the roster point reserved for Schedule Caste category.

2. Learned Additional Government Advocate submits that the representations given by the petitioners as per Annexure-E and F dated 21.02.2022, 22.02.2022 in W.P.No.2-1277/2024 and Annexure-E dated 16.02.2022 in



W.P.No.201638/2024 will be considered and if found acceptable, appropriate order will be passed.

3. In that view of the matter, both writ petitions are ***partly allowed***.

4. Respondent No.2 is directed to consider the representations of the petitioners produced at Annexure-E and F in W.P.No.201277/2024 and Annexure-E in W.P.No.201638 for the purpose of considering their case for promotion by applying roster points as per law.

5. It is made clear that the order already passed has not been disturbed. However, if on consideration of the representations made by the petitioners, specifically with regard to the applicability of roster points as per law the respondent No.2-authority finds if necessary to redo the same it shall redo the same in accordance with law.

6. The order passed in this regard one way or the other shall be communicated to the petitioners in writing.



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7. The entire process shall be completed within an outer limit of 90 days from the date of the receipt of a certified copy of this order.

Sd/-
(M.G.S.KAMAL)
JUDGE

SDU
LIST NO.: 1 SL NO.: 22
CT: PK