



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 200994 OF 2024 (S-RES)

BETWEEN:

1. SMT. SANGEETA W/O ARJUN KATE,
AGED ABOUT 40 YEARS, OCC: HOUSEHOLD,
R/O C/O N.B. PATIL,
NEAR MARUTI GUDI GACHCHINKATTI COLONY,
VIJAYAPURA-586101.
2. SMT. BHAGYASHREE
W/O LATE CHIDANAND PUJARI,
AGED ABOUT 30 YEARS, OCC: HOUSEHOLD,
R/O C/O N.B. PATIL,
NEAR MARUTI GUDI GACHCHINKATTI COLONY,
VIJAYAPURA-586101.

...PETITIONERS

(BY SRI. SHRAVAN KUMAR MATH., ADVOCATE)

AND:

1. KALYAN KARNATAKA ROAD TRANSPORT
CORPORATION,
REPRESENTED BY ITS MANAGING DIRECTOR,
KALABURAGI-585101.
2. DIVISIONAL CONTROLLER KALYAN KARNATAKA
ROAD TRANSPORT CORPORATION
VIJAYAPURA DIVISION,



VIJAYAPURA-586101.

...RESPONDENTS

(BY SMT. RATNA N. SHIVAYOGIMATH, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, A) ALLOW THIS WRIT PETITION BY ISSUING WRIT OR ORDER DIRECTION IN THE NATURE OF CERTIORARI BY QUASHING THE ENDORSEMENT BEARING NO.ಸಂ:ಕಕರಸಾ/ವಿವಿ/ಸಿಬ್ಬಂದಿ/ನೇಮಕ/1262//2023-2024 DATED 20-07-2023 ISSUED BY THE RESPONDENT NO.2 WHICH IS AT ANNEXURE-F. B) ALLOW THIS WRIT PETITION BU ISSUING WRIT OR ORDER OR DIRECTION IN THE NATURE OF MANDAMUS TO DIRECT THE RESPONDENTS TO GIVE APPOINTMENT TO PETITIONER NO.2 ON COMPASSIONATE GROUND. C) TO GRANT ANY OTHER RELIEF TO WHICH THE PETITIONER COMPANY IS FOUND ENTITLED IN THE FACTS AND CIRCUMSTANCES OF THE CASE.

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

CORAM: HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

ORAL ORDER

1. This writ petition under Articles 226 and 227 of the Constitution of India is filed with a prayer to issue writ of certiorari quashing the endorsement at Annexure-F dated 20.07.2023 issued by respondent no.2 and to appoint the petitioner no.2 to a suitable post on compassionate ground.



2. Heard the learned counsel appearing for the parties.

3. Husband of the first petitioner no.1 and father of the petitioner no.2, namely late Sri Arjun, who was working as a conductor in respondent no.1 Corporation, had died in harness on 17.01.2021. Petitioner no.2, who is the widowed daughter of deceased Arjun had filed an application on 04.05.2021 seeking appointment to a suitable post on compassionate ground. The respondent no.2, who is the competent authority, vide the impugned endorsement at Annexure-F dated 20.07.2023, has rejected the application of the petitioner no.2 seeking appointment on compassionate grounds, for the reason that the annual income of the family was Rs.8,89,812/- and therefore, in view of the circular dated 04.12.2018, petitioner no.2 was not eligible for appointment on compassionate ground. Aggrieved by the said endorsement, petitioner is before this Court.



4. The deceased Arjun, who is the husband of petitioner no.1 and father of petitioner no.2, had died in harness on 17.01.2021. Application has been filed by the petitioner no.2, who is the widowed daughter of the deceased, on 04.05.2021 seeking appointment on compassionate ground. Therefore, the application is filed well within time. Application has been rejected by the competent authority placing reliance on the circular issued by respondent no.1 on 04.12.2018 which provides that if the family has an average annual income exceeding Rs.6,27,150/-, then the members of the family of the deceased are not eligible for compassionate appointment. However, no such restriction is found in the subsequent amended circular of the first respondent dated 31.01.2022 which was brought into force to provide opportunity to married or widowed daughter of the deceased and also to provide speedy relief to the dependents of the employees, who had died during COVID-19 pandemic. This presupposes that the circular dated 31.01.2022 has a retrospective effect. Under the circumstances, second respondent was not justified in issuing the endorsement placing reliance on the earlier circular dated 04.02.2018, which was amended and replaced by a subsequent



circular dated 31.01.2022, which is referred to at Sl.No.6 in the impugned endorsement.

5. Accordingly, the following:-

ORDER

- i) Writ petition is allowed.
- ii) The impugned endorsement at Annexure-F dated 20.07.2023 issued by second respondent is quashed and the matter is remitted to second respondent to consider the application of petitioner no.2 afresh in the light of the aforesaid circular dated 31.01.2022 issued by respondent no.1.
- iii) The said exercise shall be done by second respondent as expeditiously as possible, but not later than the period of four months from the date of receipt of copy of this order.

**Sd/-
(S.VISHWAJITH SHETTY)
JUDGE**