



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 22ND DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 201291 OF 2026 (S-R)

BETWEEN:

1. VIDYADAR MURUGKAR
S/O MADANANT RAO MURUGKA,
AGE : 74 YEARS, OCC : RETIRED VICE PRINCIPAL,
R/O.11-212, UPPER LANE, BRAHMPUR,
KALABURAGI-585103.
M9243227317
2. SATYANARYAN MURTHY
S/O RAMRAO PATWARI,
AGE : 72 YEARS, OCC : RETIRED GOVT.SERVANT,
R/O 11-179, UPPER LANE, BRAHMPUR,
KALABURAGI-585103.
M9790489439
3. SIDDLINGAYYA S/O NAGAYYA,
AGE 73 YEARS, OCC RETIRED GOVT.SERVANT
R/O 6/2/74, PANCHLINGESHWAR COLONY,
LVD COLLEGE ROAD, MANIL PRABHU,
RAICHUR-584134.
M9986315958
4. ANANDTHIRTHACHARYA PUJARY
S/O KRISHNACHARY PUJARY,
AGE 73 YEARS, OCC RETIRED VICE PRINCIPAL,





R/O 11-366/87 N R COLONY ROAD,
VENKATESHWAR TEMPLE, BRAHAMPUR,
KALABURAGI-585103.
M9449934046

5. PRAHALAD BHAT JOSHI
S/O NARASIMHA BHAT JOSHI,
AGE 72 YEARS, OCC RETIRED ASST. MASTER,
R/O 11-366/31 N R COLONY ROAD, BRAHMPUR
KALABURAGI-585103.
M9481165480
6. KARUNA DESHPANDE W/O GORAKANATH ,
AGE 73 YEARS, OCC RETIRED HEAD MISTRESS,
R/O 405/3 NEAR KORIMATH DHANGARGALLI,
KALABURAGI-585103.
M9535731197
7. KANTRAJ BHIMSENRAO TAVG,
AGE 73 YEARS, OCC RETIRED SDA,
R/O 4-601/47C 4TH CROSS,
BASAVESHWAR NAGAR
KALABURAGI-585105.
M9449619498.
8. SUBBARAO K S/O K S MADHAVA RAO,
AGE 72 YEARS, OCC RETIRED TAHSILDAR,
R/O H NO.6 2 71 64 MANIK PRABHU LAYOUT,
LVD COLLEGE ROAD RAICHUR 584101.
M 9449043700.

...PETITIONERS

(BY SRI. SANGOLI NAGANNA, ADVOCATE)



AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS CHIEF SECRETARY,
FINANCE DEPARTMENT VIDHANA SOUDHA,
BENGALURU 560001.
2. THE STATE OF KARNATAKA,
REPRESENTED BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE
REFORMS VIDHANA SOUDHA, BENGALURU 560001.
3. THE STATE OF KARNATAKA,
REPRESENTED BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF EDUCATION (PRIMARY AND
SECONDARY EDUCATION) VIDHANA SOUDHA,
BENGALURU 560001.
4. THE COMMISSIONER,
DEPT. PUBLIC INSTRUCTION,
AIWEN SHAHI ROAD KALABURAGI.585101.
5. THE ACCOUNTANT GENERAL,
PARK HOUSE ROAD, BENGALURU 560001.
6. THE STATE OF KARNATAKA,
ADDL. CHIEF SECRETARY REVENUE DEPT.
M S BUILDING BENGALURU 560001.
7. THE DEPUTY COMMISSIONER,
NEW VIDHANASOUDHA
EKLAPUR ROAD, RAICHUR-584101.
8. THE ASST. COMMISSIONER,
NEW VIDHANASOUDHA, EKLAPUR ROAD,



RAICHUR-584101

...RESPONDENTS

(BY SRI. VEERANAGOUDA BIRADAR, AGA FOR R1 TO R4 AND R6 TO R8; SRI SUDHIRSINGH RVIJAPUR, DSGI FOR R5)

This WRIT PETITION FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO A) ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT OR DIRECTION DIRECTING THE RESPONDENTS TO TREAT THE PERIOD OF 15 YEARS PRESCRIBED UNDER RULE 376(14) OF THE KARNATAKA CIVIL SERVICES RULES, 1958 AS 10 YEARS AND 8 MONTHS (128 MONTHS) FOR RECOVERY OF THE LUMP SUM AMOUNT PAID TOWARDS COMMUTATION OF PENSION, IN ENDS OF JUSTICE AND EQUITY; B) DIRECT THE RESPONDENTS TO STOP FURTHER RECOVERY FROM THE PETITIONERS PENSION FORTHWITH AND RESTORE FULL PENSION; C) DIRECT THE RESPONDENTS TO REFUND THE EXCESS AMOUNT RECOVERED FROM THE PETITIONER AFTER COMPLETION OF 10 YEARS AND 8 MONTHS, ALONG WITH ALL CONSEQUENTIAL BENEFITS; D) DIRECT THE RESPONDENTS TO CONSIDER AND DISPOSE OF THE PETITIONERS REPRESENTATION DATED 05.10.2025 AND 11.02.2026 (ANNEXURE-D1 TO D8) WITHIN A TIME FRAME TO BE FIXED BY THIS HONOURABLE COURT; E) PASS SUCH OTHER ORDER OR ORDERS AS THIS HONOURABLE COURT DEEMS FIT IN THE INTEREST OF JUSTICE AND EQUITY.

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



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

ORAL ORDER

Petitioners are before this Court under Article 226 and 227 of the Constitution of India seeking for the following reliefs :

2. Heard the learned counsel for the parties.

3. Petitioners are all retired Government servants. According to the petitioners, at the time of their retirement, they were paid commuted pension amount which was to be recovered over a period of 15 years in monthly installments. On the ground that the entire commuted amount has been already recovered by the respondent – authority, it appears that petitioners have submitted representations at Annexures-D1 to D8 series dated 05.10.2025 and 11.02.2026 with a prayer to stop recovery of the commuted pension amount from their monthly pension and also to refund the excess amount recovered from them.



4. In identical matters, Coordinate Bench of this Court in W.P.No.108193/2025 has allowed the writ petition and directed the competent authorities to consider similar representations filed by the retired Government servants and in the meanwhile, has directed not to recover any amount from them. Under the circumstances, the following order :

- i) Writ petition is ***partly allowed*** and a direction is issued to respondent Nos.2 and 5 to consider the representations of the petitioners at Annexures-D1 to D8 series dated 05.10.2025 and 11.02.2026 respectively and pass appropriate orders on the same, in accordance with law as expeditiously as possible, but not later than a period of three months from the date of receipt of copy of this order.



- ii) Petitioners are at liberty to submit fresh representations to respondent Nos.2 and 5 along with necessary documents.
- iii) In the meanwhile, there shall be no recovery from the pension amount of the petitioners.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

SN
List No.: 1 Sl No.: 40