



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 6TH DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. JUSTICE R.NATARAJ

AND

THE HON'BLE MR. JUSTICE TYAGARAJA N. INAVALLY

WRIT APPEAL NO. 200191 OF 2022 (S-RES)

C/W

WRIT APPEAL NO. 200182 OF 2022 (S-RES)

IN WA No. 200191/2022

BETWEEN:

DR. SANTHOSH PATTANSHETTI
S/O KALYANI PATTANSHETTI,
AGE: 46 YEARS, OCC: NOW NIL,
R/O: C/O: VIJAYAVANI BUILDING,
PLOT NO.17, MOHAN NAGAR,
OLD JEWARGI ROAD,
KALABURAGI - 585 101.

...APPELLANT

(BY SRI RAVINDRA REDDY, ADVOCATE)

AND:

THE UNIVERSITY OF AGRICULTURAL,
SCIENCES, RAICHUR,
LINGASUGUR ROAD,
RAICHUR - 584 104,
THOROUGH ITS REGISTRAR.

...RESPONDENT

(BY SRI AMARESH S.ROJA, ADVOCATE)



THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, PRAYING TO ALLOW ABOVE WRIT APPEAL AND FURTHER PLEASSED TO SET ASIDE THE ORDER DATED 02.06.2022 PASSED IN W.P.NO.215070/2020 AND ETC.

IN WA NO. 200182/2022

BETWEEN:

DR. SHIVSHANKARAGOUDA B. PATIL
S/O BASANAGOUDA,
AGE: 45 YEARS,
OCC: ASST. PROFESSOR,
R/O: AGRICULTURAL RESEARCH STATION,
BAGALAKOTE,
DIST: BAGALALKOTE – 587 101.

...APPELLANT

(BY SRI RAVINDRA REDDY, ADVOCATE)

AND:

THE UNIVERSITY OF AGRICULTURAL SCIENCES,
RAICHUR, LINGASUGUR ROAD,
RAICHUR – 584 104,
THROUGH ITS REGISTRAR.

...RESPONDENT

(BY SRI AMARESH S.ROJA, ADVOCATE)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, PRAYING TO ALLOW ABOVE WRIT APPEAL AND FURTHER PLEASSED TO SET ASIDE THE ORDER DATED 02.06.2022 PASSED IN W.P.NO.215069/2020 AND ETC.

THIS WRIT APPEAL, COMING ON FOR HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE R.NATARAJ
and
HON'BLE MR. JUSTICE TYAGARAJA N. INAVALLY

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE R.NATARAJ)

These appeals under Section 4 of the Karnataka High Court Act, 1961 are filed challenging the correctness of the order dated 02.06.2022 passed by the learned Single Judge of this Court in W.P.No.215070/2020 and W.P.No.215069/2020 respectively.

2. Both the appellants were working as Assistant Professor at the University of Agricultural Sciences, Raichur. The respondent-University issued a notification dated 01.08.2016 inviting applications for recruitment to various posts of teachers in the cadre of Professor and Associate Professor in the University of Agricultural Sciences at Raichur. The appellants submitted their application to the post of Associate Professor (D.E's Office), Associate Professor in Genetics and Plant Breeding



and Associate Professor (Agriculture Economics), Associate Professor-D.E. Office/Extension Leader/Program Coordinator. They contend that they being meritorious candidates were considered eligible for the said post. Accordingly, the respondent-University issued interview letter specifying the dates of interview. After the interview, a selection list was prepared and appointment orders were required to be issued to the selected candidates. However, the respondent-University without any reason kept the same pending and did not publish the list of selected candidates.

3. It is contended that the respondent-University placed the agenda before the 34th board meeting held on 16.12.2017 regarding the financial approval for Non-HK (Hyderabad Karnataka) posts along with the list of appointments made through direct recruitment (*inter se* merit) to the posts of Professor, Associate Professor and other equivalent posts in University of Agricultural Sciences, Raichur, only in regard to 10 posts of Professor



and 13 posts of Associate Professor under residual parent category (Non-Hyderabad Karnataka) and 3 posts of Associate Professor under single/others category. They contend that the Board in its 34th special meeting approved the recommendation of the selection committee in respect of the appointments made through direct recruitment (*inter se* merit). They contend that State Government had given its financial approval on 11.12.2019 for recruitment to the posts pertaining to non-Hyderabad Karnataka. However, the respondent-University without considering the financial approval, as an afterthought to avoid publication of select list, issued a fresh recruitment notification.

4. They contend that without accepting the recommendation of the selection committee and without waiting for the decision of the State Government regarding the approval of the recommendation of the selection committee, the respondent-University placed the agenda before the 42nd board meeting which was held on



20.11.2019. They contend that the board without applying its mind took a fresh decision to publish a fresh notification for recruitment to the said posts. The appellants being aggrieved by the same were before this Court in W.P.No.215070/2020 and W.P.No.215069/2020.

5. The learned Single Judge, after considering the contentions urged by the appellants held that the appellants had no right to be appointed to the said posts. The learned Single Judge further held that the appellants cannot legitimately expect that they would be appointed to the posts. Besides this, the learned Single Judge held that the selection was made without prior approval of the finance department of the State and by the time, the State Government approved it, three years had elapsed from the date of the notification. It was therefore held that the respondent-University had a just reason to re-notify the recruitment. Being aggrieved by the said order, the appellants are before this Court.



6. Learned counsel for the appellants contended that when once the selection list is finalized and approved by the board of management and financial approval is given by the State Government, the selection process had to be completed. The respondent-University had no authority in law to withdraw the recruitment notification. He thus contends that the impugned action on the part of the respondent-University in issuing a fresh notification is arbitrary, illegal and warrants interference. He contended that once the selection process is complete and the selection list is finalized, any withdrawal of the recruitment notification should be for valid reasons. He contends that once the recruitment process is complete and the State Government has granted approval, the respondent-University was not justified in withdrawing the recruitment notification and issuing a fresh notification.

7. *Per contra*, the learned counsel for the respondent-University submitted that the appellants have no right to be appointed to the post. He contends that



earlier recruitment notification was withdrawn since the same was without obtaining financial approval from the State Government. He submits that even if the recruitment notification is proceeded with and the selection list is finalized, then there could be chances of the finance department of the State refusing to recognize the posts. He therefore submitted that a fresh impugned recruitment notification had to be issued, as by that time 3 years had already elapsed from the earlier notification. He therefore submits that the withdrawal of the earlier notification was based on sufficient reason and hence the appellants cannot find fault with the respondent.

8. We have considered the submissions made by the learned counsel for the appellants as well as the learned counsel for the respondent-University.

9. The recruitment notification was issued on 01.08.2016. It may be that the appellants were selected to the posts notified. The select list was placed before the 34th board meeting on 16.12.2017 regarding financial



approval for non-Hyderabad-Karnataka posts. The board approved the recommendation of the selection committee in respect of appointments made through direct recruitment (*inter se merit*).

10. The extract of the board meeting is as follows :

"In the light of the observations made by the Additional Secretary, Finance Department, Govt. of Karnataka, the Board resolved to consider according approval for the recommendations of the selection committee in respect of the appointments made through direct recruitment (inter se merit) to the posts of Professor, Associate Professor and other equivalent posts in University of Agricultural Sciences, Raichur after obtaining necessary permission from the Department of Finance, Government of Karnataka.

Further, the Board resolved to seek explanation from the concerned authorities for having issued the notification dated 01.08.2016 without obtaining permission from finance department for all the posts notified to be filled up."

11. The above shows that the prior approval of the finance department was not obtained before issuing the recruitment notification. As rightly contended by learned counsel for the respondent-University, even if the selection list is proceeded with and notified, unless the same was with prior approval of the finance department, the select



list might run into rough weather as the State Government may not release the salary for those recruited.

12. This apart, the initial recruitment notification was issued on 01.08.2016, but the State Government granted approval only on 11.02.2019 i.e., after nearly 3 years from the date of the recruitment notification. The respondent-University was therefore justified in withdrawing the earlier notification dated 01.08.2016 and issuing a fresh notification. As rightly contended by learned counsel for the respondent-University, the appellants have no right to be appointed to the posts. Their right would arise only when appropriate appointment orders are issued. The respondent-University is always at liberty to withdraw any notification for just cause and issue a fresh notification.

13. In the instant case, we are satisfied that the respondent-University had a just cause in withdrawing the earlier notification dated 01.08.2016 and issuing a fresh recruitment notification. In that view of the matter, we do



not see any error committed by the learned Single Judge
in rejecting the writ petitions warranting interference.
Hence both these appeals stand ***dismissed***.

**Sd/-
(R.NATARAJ)
JUDGE**

**Sd/-
(TYAGARAJA N. INAVALLY)
JUDGE**

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List No.: 1 Sl No.: 49