



IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 13TH DAY OF OCTOBER, 2025

PRESENT

THE HON'BLE MR. JUSTICE H.T.NARENDRA PRASAD

AND

THE HON'BLE MR. JUSTICE TYAGARAJA N. INAVALLY

WRIT PETITION NO.203264 OF 2024 (S-KSAT)

BETWEEN:

SHRI SHANKEREPPA
S/O GULEPPA KAGGOD,
AGE: 62 YEARS,
OCC: RETIRED AEE, PWD,
H.NO.4032, KK COLONY,
BASAVANA BAGEWADI ROAD,
VIJAYAPURA – 586 101.

...PETITIONER

(BY SRI SANJAY M.JOSHI AND
SRI PRAKASH S.M., ADVOCATES)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY
PRINCIPAL SECRETARY,
PUBLIC WORKS DEPARTMENT,
VIKAS SOUDHA,
BENGALURU – 560 001.
2. THE UNDER SECRETARY
SERVICE SERVICES CE,
VIKAS SOUDHA,
BENGALURU – 560 029.



3. THE ACCOUNTANT GENERAL KARNATAKA,
PENSION SECTION (PV-14),
UNIT 4, OFFICE OF THE ACCOUNTANT GENERAL,
BENGALURU – 560 001.

...RESPONDENTS

(BY SRI VIRANAGOUDA M. BIRADAR, A.G.A.)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE AN ORDER OR DIRECTION IN THE NATURE OF WRIT OF CERTIORARI AND MODIFYING ANNEXURE-B THE JUDGMENT AND ORDER DATED 22.10.2021 PASSED BY APPLICATION NO.20712/2021 BY THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL AT KALABURAGI, DENYING INTEREST CLAIMED AT 12% I.E., ANNUAL ON THE DELAYED GRATUITY PAYMENT OF RS.12,58,950/- FROM THE DATED FELL DUE I.E. 31.07.2019 TILL THE ACTUAL DATE OF JUDGMENT.

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

CORAM: HON'BLE MR. JUSTICE H.T.NARENDRA PRASAD
AND
HON'BLE MR. JUSTICE TYAGARAJA N. INAVALLY



ORAL ORDER

(PER: HON'BLE MR. JUSTICE H.T.NARENDRA PRASAD)

In this writ petition, petitioner called in question the order dated 22.10.2021 passed by Karnataka State Administrative Tribunal at Kalaburagi (for short, 'the Tribunal') in Application No.20712/2021 only seeking enhancement of rate of interest from 8% to 12%.

2. It is the case of the petitioner that, petitioner served as Assistant Executive Engineer in P.W.D. and retired on superannuation on 31.07.2019. There is delay in settling the retirement benefit. Therefore, the petitioner has approached the Tribunal. The Tribunal allowed the application and directed the respondent Nos.2 and 3-authorities to release the retirement benefits to the petitioner within a period of four weeks. The interest awarded for the delayed period is 8% which has to be paid by respondent Nos.2 and 3 from the date of filing of the application till the settlement. Being aggrieved only the part of the interest, the petitioner is before this Court.



3. Learned counsel for the petitioner in support of his case, relied on the judgment of the Apex Court in the case of ***O.P. Gupta V. Union of India and others*** reported in ***AIR 1987 SC 2257***. In the said judgment, the Hon'ble Supreme Court has awarded interest at the rate of 12% per annum in respect of delayed payment. Admittedly, in the case on hand, the petitioner retired on superannuation on 31.07.2019 and the retirement benefits has been settled on 09.11.2022. There is delay on the part of the respondent authorities in settling the retirement benefits to the petitioner.

4. Learned Additional Government Advocate submits that the interest awarded at the rate of 8% on the retirement benefits of the petitioner is just and proper and supports the impugned order passed by the Tribunal.

5. In view of aforesaid contentions and the judgment relied on by the petitioner, on parity, it is just and proper to award 12% interest by modifying the rate of



interest awarded by the Tribunal from 8% to 12% per annum. To that extent only, the order passed by the Tribunal is modified, awarding interest at the rate of 8% to 12% per annum.

With the above observations, the writ petition is disposed of.

**Sd/-
(H.T.NARENDRA PRASAD)
JUDGE**

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

BL
List No.: 1 Sl No.: 65