



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 25TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

AND

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

WRIT PETITION NO.203096 OF 2024 (S-KSAT)

BETWEEN:

SRI. A. D. JADHAV S/O DHONDIBA,
AGED ABOUT 67 YEARS,
OCC: RETIRED TECHNICAL ASSISTANT,
MINOR IRRIGATION (NORTHERN RANGE), VIJAYAPURA,
R/O: NEAR SHAM SCHOOL, PLOT NO.636,
KIRTI NAGAR, VIJAYAPURA-586 109.

...PETITIONER

(BY SRI MAHESH PATIL, ADVOCATE)

AND:

Digitally signed by
SHILPA R
TENHALLI
Location: HIGH
COURT OF
KARNATAKA

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF MINOR IRRIGATION AND GROUND
WATER DEVELOPMENT, VIKAS SOUDHA,
BENGALURU-560 001.
2. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
PUBLIC WORKS DEPARTMENT,
VIKASA SOUDHA,
BENGALURU-560 001.
3. THE CHIEF ENGINEER,
COMMUNICATION AND BUILDING (SOUTH),
K. R. CIRCLE, BENGALURU-560 001.



4. THE ACCOUNTANT GENERAL
(ACCOUNTS 1 & 2) AUDIT, KARNATAKA,
BENGALURU-560 001.

...RESPONDENTS

(BY SMT. MAYA T. R., HCGP)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI BY QUASHING THE IMPUGNED ORDER DATED 19.09.2024 PASSED BY THE HON'BLE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL KALABURAGI BENCH IN APPLICATION NO.21005/2022 AT ANNEXURE-D AND CONSEQUENTLY TO ALLOW THE APPLICATION FILED BY THE PETITIONER BEFORE THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL AS PRAYED FOR ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ
and
HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL ORDER

(PER: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ)

1. Petitioner is before the Court seeking for the following reliefs:

"a) *Issue a Writ in the nature of Certiorari by quashing the impugned order dated 19.09.2024 passed by the Hon'ble Karnataka State Administrative Tribunal Kalaburagi Bench in Application No.21005/2022 at ANNEXURE-D and consequently to allow the Application filed by the petitioner before the Karnataka State Administrative Tribunal as prayed for, in the interest of justice and equity;*



b) Pass such other orders as this Hon'ble Court deems fit in the facts and circumstances of the case."

2. Learned counsel for the petitioner, Sri Mahesh Patil, submits that an identical issue arising out of the very same enquiry has already been considered by a Coordinate Bench of this Court in its order dated 22.01.2026 in W.P. No.28243/2025 and connected matters. The Coordinate Bench, upon examining the validity of the enquiry, has categorically held that the enquiry was vitiated. More importantly, taking note of the fact that the delinquent government officer (DGO) therein had superannuated on 31.01.2019, the Coordinate Bench further held that any liberty reserved to the respondents to initiate a fresh enquiry would be rendered otiose, having regard to the bar contained in Rule 214 of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 (for short, 'CCA Rules'), inasmuch as no Articles of Charge could be issued in respect of an incident pertaining to the year 2015-16. It is submitted that in the present case, the DGO has superannuated on 31.05.2017, and therefore, the ratio of the aforesaid judgment squarely applies.



3. *Per contra*, the learned High Court Government Pleader would contend that the allegations pertain to substantial loss caused to the State exchequer, and it is in that backdrop that disciplinary action came to be initiated. She further seeks to rely upon an order passed by a Coordinate Bench of this Court in W.P. No.203247/2024, wherein the matter was remanded for fresh enquiry. However, upon a specific query from this Court, she fairly submits that in the said case, the delinquent officer was still in service at the relevant point of time.
4. Having heard the learned counsel on both sides, this Court finds that the purported distinction sought to be drawn on the basis of differing orders of Coordinate Benches is misconceived and does not advance the case of the respondents.
5. The distinguishing factor is not the divergence of judicial opinion, but the factual matrix to which Rule 214 of the CCA Rules is attracted. In W.P. No.28243/2025, the delinquent officer had already superannuated, thereby attracting the embargo under Rule 214 in respect of initiation of proceedings for stale incidents. In contrast, in W.P. No.203247/2024, the delinquent officer continued in



service, and therefore, no such statutory bar operated. Consequently, the remand ordered in the latter case cannot be pressed into service in a case where the delinquent officer has already superannuated.

6. At this juncture, it is necessary to advert to the underlying object and scheme of Rule 214 of the CCA Rules. The said provision embodies a legislative policy that, upon superannuation, a government servant ought not to be exposed to belated disciplinary proceedings in respect of stale or time-barred allegations, save in circumstances expressly contemplated by the Rules. The rule is intended to ensure finality and certainty in service jurisprudence, and to protect retired employees from being subjected to protracted proceedings long after cessation of service, when effective defence may itself be impaired.
7. Inordinate and unexplained delay in initiating or concluding disciplinary proceedings is a relevant factor which vitiates such proceedings, particularly where prejudice to the delinquent employee is manifest. Stale charges ought not to be permitted to be pursued, as prolonged disciplinary proceedings



cause undue harassment and are contrary to principles of fairness and justice. Once an employee has retired, and in the absence of a specific statutory provision enabling continuation or initiation of disciplinary proceedings, such proceedings cannot be sustained.

8. In the present case, it is not in dispute that the DGO had superannuated on 31.05.2017. In view of the clear bar under Rule 214 of the CCA Rules, and in light of the binding ratio laid down by the Coordinate Bench in W.P. No.28243/2025, this Court is of the considered opinion that the said judgment squarely governs the present case.
9. As such, We pass the following:

ORDER

- i) The Writ Petition is allowed.
- ii) A certiorari is issued, the impugned order dated 19.09.2024 passed by the Karnataka State Administrative Tribunal, Kalaburagi in Application No.21005/2022 at Annexure-D is quashed.



- iii) Since the DGO has superannuated in the year 2017, there would be no requirement for granting any liberty to initiate a fresh enquiry.

**Sd/-
(SURAJ GOVINDARAJ)
JUDGE**

**Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE**

SRT
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