



IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 14TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE M.G.S.KAMAL

WRIT PETITION NO. 202666 OF 2025 (S-RES)

BETWEEN:

SHRI VITHOBA NAYAK
S/O PAMANNA NAYAK,
AGE: 30 YEARS,
OCC: STUDENT RESEARCH SCHOLAR,
R/O. JALAHALLI, TQ. DEVADURGA,
DIST. RAICHUR-584101.

...PETITIONER

(BY SRI SIDDARAJ MURAGESAN M., ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF REVENUE,
M. S. BUILDING, BANGALORE-560001.
2. THE COMMISSIONER
OF COLLEGIATE EDUCATION,
UNNATHA SHIKSHAN SOUDHA,
SHESHADRI ROAD,
BANGALORE-560001.
3. THE DIRECTOR OF TRIBAL
WELFARE DEPARTMENT,
LOTUS TOWER
RACE COURSE ROAD,

Digitally signed
by SACHIN
Location: HIGH
COURT OF
KARNATAKA



BANGALORE-560001.

4. THE TARANATHA EDUCATION SOCIETY,
RAICHUR, REPRESENTED BY ITS
SECRETARY, STATION ROAD,
RAICHUR-584101.
5. DR. RAJINI D/O HANUMANTHRAYA HUGAR,
W/O DR.SHIVARAJ, AGE: 38 YEARS,
R/O. PLOT NO.112,
VISHWAVIDYALAYA LAYOUT,
E.S.I. HOSPITAL, SEDAM ROAD,
KALABURAGI-585105.
(DELETED VIDE ORDER DATED 14.10.2025)

...RESPONDENTS

(BY SRI MALLIKARJUN SAHUKAR, AGA FOR R1 TO R3;
V/O DTD 14.10.2025 R5 IS DELETED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO A) ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER DIRECTING THE RESPONDENT NO.1 TO 4 TO CONSIDER THE REPRESENTATION DATED 21.07.2025 AT ANNEXURE-H TO PASS APPROPRIATE ORDER TO EXTEND ALL THE SERVICE BENEFITS INCLUDING SENIORITY AND INCREMENT FROM TIME TO TIME TO THE PETITIONER FROM SUCH BENEFITS WHICH WAS EXTENDED TO SIMILARLY PLACED PERSONS APPOINTED PURSUANT TO THE NOTIFICATION DATED 26.07.2019 IN THE INTEREST OF JUSTICE AND EQUITY IN FACTS AND CIRCUMSTANCES OF THE PRESENT CASE AND IT IS NEEDLESS TO SAY THAT THE PETITIONER ENTAILED TO 100% ARREARS OF SALARY AND OTHER ALLOWANCES ETC. B) DIRECT THE RESPONDENT NO.2 TO COMPLETE ALL FORMALITIES AND PROCEDURE WITHOUT FURTHER DELAY FOR THE ISSUANCE OF THE APPOINTMENT LETTER WITHIN A SPECIFIED TIME FRAME.

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



CORAM: HON'BLE MR. JUSTICE M.G.S.KAMAL

ORAL ORDER

(PER: HON'BLE MR. JUSTICE M.G.S.KAMAL)

The case of the of petitioner is that he being eligible candidate had applied for the post of Assistant Professor in English under scheduled tribe category at respondent No.4-institute. He had attended the interview on 26.10.2019 along with necessary documents. That in the meanwhile, one Dr.Rajini had attended the interview against said reserved post and her name was recommended for interview. The appointment order was issued in the name of said Dr.Rajini which came to the notice of the petitioner, who was otherwise the eligible candidate under scheduled tribe category.

2. Being aggrieved, he had lodged a complaint before the Department of Civil Rights Enforcement (DCRE), Kalaburagi for verification of the caste certificate of said Dr.Rajini. The report was submitted by the DCRE to the District Caste Verification Committee (DCVC),



Kalaburagi stating that she did not belong to schedule caste category. Based on the report of the DCRE, DCVC had annulled/cancelled the case certificate issued in the name of said Dr.Rajini, vide ordered dated 30.08.2021. That said order was challenged in appeal which came to be disposed of on 11.07.2022, remitting the matter to the DCVC. The DCVC by its order dated 15.03.2024, disposed of the said appeal filed by said Dr.Rajini, holding that she did not belong to the scheduled tribe category and she belonged to OBC II-A category. As such, her claim was rejected. As against which, the said Dr.Rajini had filed appeal before the appellate authority which also came to be dismissed on 21.09.2024 at Annexure-G.

3. In the circumstances, the petitioner filed a representation on 21.07.2025 as per Annexure-H to respondent No.2 to consider the candidature of the petitioner for the post which has not been considered till date. Hence, the petition.



4. Learned Additional Government Advocate in response submits that since the dispute with regard to the caste certificate was pending consideration, the representation could not be considered. Now that, in view of the appeal filed by said Dr.Rajini having been disposed of, the representation submitted by the petitioner as per Annexure-H would be considered in accordance with law, if given some time in the matter.

5. The submission is taken on record.

6. The writ petition is disposed of.

7. Respondent-authority is to consider the representation at Annexure-H dated 21.07.2025 strictly in accordance with law as expediently as possible within an outer limit of 12 weeks from the date of receipt of certified copy of this order.

Sd/-
(M.G.S.KAMAL)
JUDGE

SN/List No.: 1 SI No.: 25
CT:PK