



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.203252 OF 2025 (S-KSAT)

C/W

WRIT PETITION NO.203121 OF 2025 (S-KSAT)

IN WP NO.203252/2025:

BETWEEN:

SMT. KARIBASAMMA
W/O LATE NAGAPPA CHC 652
WADAGERA P S,
AGE: 58 YEARS, OCC: HOUSEHOLD,
R/O BRAHAMPUR, KALABURAGI.

...PETITIONER

(BY SRI. AMEERAHAMAJA ABDULKADAR GUNNAPUR, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
BY IT'S THE PRINCIPAL SECRETARY
HOME DEPARTMENT GOVT. OF KARNATAKA
VIDHAN SOUDHA, BANGALORE-560001.
2. THE SUPERINTENDENT OF POLICE
"POLICE BHAVAN"
KALABURAGI-585105.

...RESPONDENTS

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



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING A) TO QUASH THE ORDER OF KSAT KALABURAGI BENCH PASSED IN APPLICATION NO.20589/2024 DATED 09.04.2025 ANNEXURE-B. B) TO QUASH THE ENDORSEMENT NO.DE/9/K/2023.24/596 DATED 20.01.2024 (ANNEXURE-A8) ISSUED BY THE RESPONDENT NO.2 C) TO DIRECT THE RESPONDENT TO CONSIDER THE REPRESENTATION OF THE PETITIONER DATED 06.06.2023 VIDE ANNEXURE-A6 AND GRANT THE MONETARY BENEFITS ACCORDINGLY, D) GRANT SUCH OTHER RELIEF OR RELIEFS AS THIS HON'BLE COURT DEEMS FIT TO GRANT IN THE CIRCUMSTANCES OF THE INTEREST OF JUSTICE AND EQUITY.

IN WP NO.203121/2025

BETWEEN:

HAMEEDUDDIN
S/O SYED FASIUDDIN,
AGE: 65 YEARS, OCC: RETD. CIVIL POLICE CONSTABLE
WADAGERA POLICE STATION,
DIST. YADAGIR
R/O: H.NO.4-5-1382,
NEAR AKSA MAJJID CHAUSH LAYOUT,
YADAGIR-585201.

...PETITIONER

(BY SRI. AMEERAHAMAJA ABDULKADAR GUNNAPUR, ADVOCATE)

AND:



1. THE STATE OF KARNATAKA
BY IT'S THE PRINCIPAL SECRETARY
HOME DEPARTMENT GOVT. OF KARNATAKA
VIDHAN SOUDHA,
BANGALORE-560001.
2. THE SUPERINTENDENT OF POLICE,
"POLICE BHAVAN"
KALABURAGI-585105.

...RESPONDENTS

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

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING A) TO QUASH THE ORDER OF KSAT KALABURAGI BENCH PASSED IN APPLICATION NO.20590/2024 DATE 09.04.2025 ANNEXURE-B. B) TO QUASH THE ENDORSEMENT NO.DE/9/K/2003-24/596 DATED 20.01.2024 (ANNEXURE-A8) ISSUED BY THE RESPONDENT NO.2 C) TO DIRECT THE RESPONDENT TO CONSIDER THE REPRESENTATION OF THE PETITIONER DATED 06.06.2023 VIDE ANNEXURES-A6 AND A7 AND GRANT THE MONETARY BENEFITS ACCORDINGLY. D) GRANT SUCH OTHER RELIEF OR RELIEFS AS THIS HON'BLE TRIBUNAL DEEMS FIT TO GRANT IN THE CIRCUMSTANCES OF THE INTEREST OF JUSTICE AND EQUITY.

THESE PETITIONS, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



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

COMMON ORAL ORDER

(PER: HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA)

These two writ petitions are the outcome of the order passed by the Karnataka State Administrative Tribunal, Kalaburagi Bench in Application Nos.20589-20590 of 2024 dated 09.04.2025 and the endorsement No.DE/9/K/2003.24/596 dated 20.01.2024 issued by Respondent No.2 – Superintendent of Police, Kalaburagi.

02. Heard Dr. A. A. Gunnapur, the learned counsel for the writ petitioners as well as learned High Court Government Pleader.

03. On the allegation that the husband of writ petitioner in W.P.No.203252/2025 late Nagappa and writ petitioner in W.P.No.203121/2025 who were police constables, abused a Sub-Inspector of Police by name Ramarao and assaulted him, departmental proceedings were initiated against both of them and finally they were dismissed from service.



04. Basing on the complaint given, police registered a case against these two employees and filed charge sheet. However, they were acquitted by the competent Court. As they were dismissed from service, they were not granted any monetary benefits. Aggrieved by the same, writ petitioners made a requisition to respondent No.2 to consider their request and to grant monetary benefits. Their request was negated by respondent No.2 partially and thereby they filed separate applications before Karnataka State Administrative Tribunal, Kalaburagi Bench. The Karnataka State Administrative Tribunal, Kalaburagi, on 09.04.2025, observing that they are entitled to the gratuity amount along with the interest and passed orders accordingly. The operative portion of the said order is as under:-

"9. In the facts and circumstances, we are of the view that the respondents have erred in not releasing gratuity amount to the dismissed employees.

Regarding the other relief in consideration of the representation, there is an inordinate delay by the applicants in seeking relief. The applicants



have not submitted any document whether they have challenged their dismissal order or had appealed to the appellate Authority in time. The applicants were dismissed from service in 2005 and submitted their representation in 2022 after almost two decades. There is no whisper in the applications about disobedience, if any by the respondents in not implementing KSAT earlier order dated 31.10.2008 (mentioned as reference No.3 in the impugned endorsement dated 20.01.2024 produced at Annexure-A8). In these circumstances for lack of pleadings we are not inclined to accept any other contention raised by the applicants in these applications.

10. In the light of above discussions, we direct the respondents to sanction and release the Gratuity amount to the applicants as per eligibility. The applicants will be entitled for specified payment of interest as per rule for the delay in release of Gratuity after dismissal of the applicant NO.1's husband and applicant No.2.

The time given is three months from the date of receipt of a copy of this order."

05. Learned counsel for the writ petitioners submits that the writ petitioners are entitled for all monetary benefits due to the acquittal of late Nagappa and the writ petitioner in W.P.No.203121/2025 in the criminal case. Their dismissal is improper. Thus, the respondents are



under liability to pay all arrears of salary. They should also sanction the pension. Further, the punishment imposed i.e., dismissal from service is disproportionate. Hence, setting aside the order passed by respondent No.2 found at Annexure-A8 and the order passed by the Karnataka State Administrative Tribunal at Kalaburagi Bench found at Annexure-B, a direction may be issued to respondents to release all the benefits together with interest.

06. Vehemently opposing the submission thus made, learned High Court Government Pleader contends that the dismissed employees did not challenge the order of dismissal till now. Basing on their misconduct at the place of work and misbehavior with the higher official, appropriate action was taken against them. Being in a responsible position as constables, they should have conducted themselves properly, but they did not do so. They neither challenged the manner in which disciplinary proceedings were conducted nor the findings given



thereafter. Also except contending that they are entitled for monetary benefits, they have not stated anything against the order of dismissal. Thus, there are no grounds to interfere.

07. The observation made by the Karnataka State Administrative Tribunal, Kalaburagi Bench, in the impugned order is that the applicants i.e., writ petitioners have not submitted any documents to show that they have challenged the order of dismissal or appealed to the appellate authority in time. It is also observed that when order of dismissal from service was passed in the year 2005, they have submitted representation in the year 2022 after almost two decades. Also giving reasons as to why they are not entitled for any other benefits except release of gratuity amount, a reasoned order was passed by the Karnataka State Administrative Tribunal, Kalaburagi Bench. We thus found no grounds whatsoever to quash the said order as sought for.



08. The writ petitioners failed to make out a case so as to interfere with, to exercise the writ jurisdiction and to grant the relief as claimed.

09. Therefore, both the writ petitions are *dismissed*.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

KJJ
List No.: 2 Sl No.: 32
Ct:si