



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 27TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 203958 OF 2025 (S-RES)

BETWEEN:

ZABIULLA S/O ABDUL RABSAB,
AGE: 51 YEARS, OCC: ATTENDER,
RAICHUR INSTITUTE OF MEDICAL SCIENCE,
RAICHUR-584101.

...PETITIONER

(BY SRI. AMEERAHAMAJA ABDULKADAR
GUNNAPURA, ADVOCATE)

AND:

1. THE PRINCIPAL SECRETARY
MEDICAL EDUCATION DEPARTMENT,
GOVT. OF KARNATAKA, VIDHAN SOUDHA,
BENGALURU-560001.
2. THE DIRECTOR,
RAICHUR INSTITUTE OF MEDICAL SCIENCE
HYDERABAD ROAD, RAICHUR-584102

...RESPONDENTS

(BY SRI MALLIKARJUN SAHUKAR, AGA FOR R1;
SRI SACHIN M. MAHAJAN, ADVOCATE FOR R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, A)
ISSUE A CERTIORARI QUASHING THE ENDORSEMENT NO.

Digitally signed
by SACHIN
Location: HIGH
COURT OF
KARNATAKA



RIMS/EST-2/2025-26/609 DT. 29.10.2025 ISSUED BY RESPONDENT NO.2 AT ANNEXURE-G. B) DIRECT THE RESPONDENTS TO CONSIDER THE REPRESENTATION DT. 27.11.2017 SUBMITTED BY PETITIONER AS PER ANNEXURE-C FOR SANCTION OF ANNUAL INCREMENT AND FOR DECLARATION OF PROBATIONARY PERIOD. C) PASS SUCH OTHER ORDERS AS THIS HON'BLE COURT DEEMS FIT TO GRANT IN THE CIRCUMSTANCES OF THE CASE.

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

CORAM: HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

ORAL ORDER

1. This writ petition under Article 226 of the Constitution of India is filed seeking for the following reliefs:

(a) Issue a certiorari quashing the endorsement No./RIMS/EST-2/2025-26/609 dated 29.10.2025 issued by respondent No.2 at Annexure-G;

(b) Direct the Respondents to consider the representation dated 27.11.2017 submitted by petitioner as per Annexure-C for sanction of annual increment and for declaration of probationary period;

(c) Pass such other orders as this Hon'ble Court deems fit to grant in the circumstances of the case in the interest of justice and equity.

2. Heard the learned counsel for the parties.



3. The petitioner who claims to be a permanent employee of the respondent No.2-Institution had earlier approached this Court in W.P.No.202608/2021 with a prayer to issue a writ of mandamus to consider his request for declaration of his probationary period with effect from 23.07.2008 and grant annual increment with all consequential benefits. The said writ petition was disposed of directing the respondent No.2 herein to consider the representation of the petitioner within a time frame. Subsequently, the representation of the petitioner was considered and the impugned endorsement at Annexure-G dated 29.10.2025 was issued by the respondent No.2, stating that, since the petitioner is appointed under Contract basis, the question of declaring his probation does not arise and accordingly rejected his representation. Aggrieved by the same, the petitioner is before this Court.

4. Perusal of the endorsement at Annexure-G would go to show that, the petitioner was initially appointed on 24.07.2026 on regular basis and according to the respondent No.2, subsequently the same was modified and petitioner's



appointment was made on contract basis with effect from 09.01.2007. The grievance of the petitioner is that, his annual increments and consequential service benefits have not been given though he has put in nearly 20 years of service in the respondent No.2-Institution.

5. Under the circumstances, this writ petition is disposed of, reserving liberty to the petitioner to submit a fresh representation to the respondent No.2 with a request to give him all the increments for which he is entitled including all consequential service benefits.

6. Accordingly, the following:

ORDER

The writ petition is disposed of, permitting the petitioner to submit a appropriate representation as aforesaid before the respondent No.2, within a period of two weeks from the date of receipt of copy of this order and if such a representation is received by the respondent No.2, the same shall be considered and appropriate orders in accordance with law shall be passed as expeditiously as possible, but not later than a



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period of two months from the date of receipt of
such representation.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

SVH
List No.: 1 Sl No.: 3
CT:PK