



**IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH**

**DATED THIS THE 14<sup>TH</sup> DAY OF FEBRUARY, 2024**

**PRESENT**

**THE HON'BLE MR JUSTICE S G PANDIT**

**AND**

**THE HON'BLE MR JUSTICE K V ARAVIND**

**CIVIL CONTEMPT PETITION NO. 100351 OF 2023**

**BETWEEN:**

SRI NAGARAJ G. HEGDE,  
S/O. GANAPATHI HEGDE,  
AGED ABOUT 49 YEARS, OCC: KANNADA  
LECTURER, S.D.M. COLLEGE, HONNAVARA,  
UTTARA KANNADA DISTRICT-581334.

...COMPLAINANT

(BY SRI. NAGARAJ HEGDE, ADVOCATE)

**AND:**

1. SRI S. R. UMASHANKAR, PRL. SECRETARY,  
DEPT. OF EDUCATION (HIGHER EDUCATION),  
M. S. BUILDING, BENGALURU-560001.
2. SRI JAGADEESHA G, THE COMMISSIONER,  
DEPT. OF COLLEGIATE EDUCATION,  
SESHADRI ROAD, BENGALURU-560001.
3. THE STATE OF KARNATAKA,  
AG OFFICE, HIGH COURT, DHARWAD-580011.

...ACCUSED

(BY SRI. GANGADHAR J. M, AAG FOR  
SMT. KIRITILATA R. PATIL, HCGP FOR ACCUSED NO.1, 2 AND  
PROFORMA ACCUSED NO.3)

THIS CCC IS FILED UNDER SECTION 11 AND 12 OF THE  
CONTEMPT OF COURTS ACT, 1971, R/W. ARTICLE 215 OF  
CONSTITUTION OF INDIA, 1950, PRAYING TO INITIATE CONTEMPT  
PROCEEDINGS AGAINST THE ACCUSED IN ACCORDANCE WITH LAW  
FOR WILLFUL AND DELIBERATE DISOBEDIENCE OF THE ORDER  
DATED 15.06.2023, PASSED BY THIS HON'BLE COURT IN  
W.P.NO.101385/2021 (S-REG), WHICH IS PRODUCED AT  
ANNEXURE-A AND ETC.





THIS PETITION, COMING ON FOR ORDERS, THIS DAY,  
**S G PANDIT, J.**, MADE THE FOLLOWING:

**ORDER**

This contempt petition is filed complaining disobedience of order dated 15.06.2023 in writ petition No.101385/2021 wherein this Court directed as follows:

*"The impugned endorsement at Annexure-A, dated 07.01.2020, passed by respondent No.2 and the communication at Annexure-B, dated 27.01.2021 issued by respondent No.1 are quashed and the matter is remitted to respondent Nos.1 & 2 to consider the case of the petitioner for regularization afresh strictly in view of the orders passed by this Court in W.P.No.66492/2012, disposed off on 14<sup>th</sup> March 2018 and in the light of the recommendation made by the respondent-Management. The said exercise shall be done by respondent Nos.1 & 2 as expeditiously as possible, but not later than a period of four months from the date of receipt of certified copy of the order."*



2. Heard Shri. Nagaraj Hegde, learned counsel for the complainant and Shri. Gangadhar J.M., learned Additional Advocate General for accused.

3. Affidavit dated 03.01.2024 of accused No.2 was filed enclosing endorsement dated 16.10.2023 rejecting the request of the petitioner for regularization. On 07.02.2024 this Court pointed out that there is a positive finding by this Court at paragraph 9 and 10 of the order that the complainant was appointed as against vacant sanctioned post in the year 1997 and periodically his appointment was being renewed by the Institution. There is also finding that material on record would go to show that the petitioner has continuously served the Institution since 1997 for last 26 years.

4. Today memo dated 14.02.2024 is filed enclosing Government Order dated 12.02.2024 regularizing the service of the complainant to the post of Assistant Professor of Kannada in SDM College, Honnavar subject to terms and conditions including filing of appeal against order under complaint and subject to the outcome



or the result of the said writ appeal. As the accused have passed regularization order regularizing the complainant as Assistant Professor of Kannada in SDM College, Honnavar, we are of the view that there is substantial compliance. Further proceedings dropped.

**Sd/-**  
**JUDGE**

**Sd/-**  
**JUDGE**

RKM  
List No.: 1 Sl No.: 32