



**WP No. 208299 of 2017  
C/W WP No. 208300 of 2017  
WP No. 208301 of 2017  
WP No. 208314 of 2017**

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

**DATED THIS THE 15<sup>TH</sup> DAY OF MARCH, 2023**

**PRESENT**

**THE HON'BLE MR JUSTICE S.SUNIL DUTT YADAV**

**AND**

**THE HON'BLE MR JUSTICE RAMACHANDRA D. HUDDAR**

**WRIT PETITION NO. 208299 OF 2017 (S-KAT)**

**C/W**

**WRIT PETITION NO. 208300 OF 2017**

**WRIT PETITION NO. 208301 OF 2017 &**

**WRIT PETITION NO. 208314 OF 2017**

**IN W.P.NO.208299/2017**

**BETWEEN:**

KUM.RAJESHWARI D/O UMALAPPA NAIK,  
AGED ABOUT 28 YEARS,  
OCC : ASSISTANT TEACHER (KANNADA)  
(NOW UNDER THE ORDER OF DIMISSAL)  
GOVERNMENT HIGHER PRIMARY SCHOOL,  
R/O C/O YALOGI, AMBOJI,  
BESIDES BRILIANT SCHOOL,  
SHANTINAGAR GABBUR,  
TQ. DEVADURGA, DIST : RAICHUR.

...PETITIONER

(BY SRI MAHESH PATIL, ADVOCATE)

**AND:**

1. THE SPECIAL OFFICER,  
CENTRALISED ADMISION CELL,  
K.G.ROAD, OPP.CAUVERY BHAVAN,  
BANGALORE-1.
2. THE DEPUTY DIRECTOR OF  
PUBLIC INSTRUCTION (ADMINISTRATION) &  
SELECTION AUTHORITY, RAICHUR,





DISTRICT RAICHUR - 584 101.

3. THE BLOCK EDUCATION OFFICER/  
SELECTING AUTHORITY, DEVADURGA,  
DISTRICT RAICHUR - 584 126.
4. PRABHANNA S/O C.CHANNABASAPPA,  
AGE : MAJOR, R/AT YATAGAL,  
POST : KOPPAR-584111,  
TALUKA DEVAGANGA, DIST: RAICHUR.
5. KUM.SUMALATHA D/O RAYANAGOWDA,  
AGE : MAJOR, R/O AT PO TURAVIHALA-584132,  
TALUKA : SINDHANUR, DIST: RAICHUR.
6. SRI BUKKANAGOWDA S/O AMAREGOWDA  
POLICE PATIL, AGED-MAJOR,  
R/O KILLARAHATTI,  
POST: UPPARANANDIHAL-584125,  
TALUKA :LINGASUGUR, DIST: RAICHUR.
7. SRI ARJUNA S/O MANAPPA  
AGE : MAJOR, R/O AT &  
POST : MASKI -584124,  
TALUKA : LINGASUGUR,  
DIST: RAICHUR.
8. KUM.SHAILAJA D/O MUTHAPPA  
AGE : MAJOR, R/AT & PO SIYATALAB -584102,  
NEAR SUDDIMULA PRESS OFFICE,  
TALUKA & DIST: RAICHUR.
9. SMT. THIMMAMMA  
W/O YAMANAPPA BHAJANTRI,  
AGE : MAJOR, R/AT & PO: AMDIHAL - 584125,  
TALUKA :LINGASUGUR, DIST: RAICHUR.
10. SRI CHANNABASAVA S/O AMARESH  
AGE :MAJOR, R/A CHALUVADI AREA,  
VIDYANAGAR, MANVI-584129,  
DIST: RAICHUR.
11. SRI LALASINGH S/O BIKKEPPA  
AGED:MAJOR, R/O THIMMAPURA THANDA,  
POST: KANNALA - 584125,



TALUKA : LINGASUGUR,  
DIST: RAICHUR.

12. KUM. MENAKA D/O DEVENDRAPPA BHANDARI,  
AGE : MAJOR, R/A 8<sup>TH</sup> WARD  
INDIRANAGAR, KARATAGI-583229,  
TALUK GANGAVATHI, DIST: KOPPAL.
13. SRI RAJASHEKHAR S/O SHARANAPPA D.,  
AGE : MAJOR, R/O RAMPURA VILLAGE,  
YERAMARAS CAMP-584135,  
TALUKA & DIST: RAICHUR.
14. SRI SHANKARAYYA S/O GUNDAYYA,  
AGE : MAJOR, R/A BAYYAPURA,  
POST : KAIRAVADAGI - 584125,  
TALUKA: LINGASUGUR, DIST: RAICHUR.
15. KUM. SHAKUNTHALA  
D/O VEERANAGOWDA,  
AGE : MAJOR,  
R/A AT & POST: MATAMARI - 584202  
TALUKA & DIST: RAICHUR.
16. SRI RENUKARAJ S/ DHARMAPPA,  
AGE: 25 YEARS, OCC: UNEMPLOYED,  
R/AT TORANADINNI, TALUKA MANVI,  
DISTRICT RAICHUR-584202.
17. SMT.SUREKHA D/O MAHIPALAREDDY,  
AGE: 25 YEARS OCC: UNEMPLOYED,  
R/AT MYAKAL - 585309, POST GOGI K.,  
TALUK SHAHAPUR, DISTRICT YADGIR.
18. SRI VISHWANATH D/O DODDABASAPPA,  
AGE: 25 YEARS OCC: UNEMPLOYED,  
R/AT & PO YARADONA,  
TALUKA LINGASUGUR-584115,  
DISTRICT RAICHAUR.
19. SRI SABANNA S/O HANUMANTHAPPA,  
AGE: 27 YEARS, OCC: UNEMPLOYED,  
R/AT & PO ANWARI-584120,  
TALUKA LINGASUGUR, DISTRICT RAICHUR.



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**C/W WP No. 208300 of 2017**  
**WP No. 208301 of 2017**  
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20. SMT. SHARANAMMA D/O ANATHREDDY,  
AGE: 27 YEARS OCC: UNEMPLOYED,  
R/AT ALADARTHY TANDA,  
POST MUSTURU-58416,  
R/A TALUK: DEVADURGA,  
DISTRICT RAICHUR.
21. SMT. SHIVAMMA D/O HONAPPA,  
AGE: 26 YEARS OCC: UNEMPLOYED,  
R/AT & POST: SUNKESHWARA HAL - 584101,  
TALUK: DEVADURGA, DISTRICT RAICHUR.
22. SRI HONAPPA S/O MALLESHA,  
AGE: 24 YEARS, OCC: UNEMPLOYED,  
R/AT HEMANALA, TALUK: DEVADURGA,  
DISTRICT RAICHUR - 584 111.
23. SRI MOUNESH S/O GAVIYAPPA  
AGE: 24 YEARS, OCC: UNEMPLOYED,  
R/AT GAVIGATTI-584129, POST AALDALA,  
TALUK: MANVI, DISTRICT RAICHUR - 584 111.
24. SMT. SUJATHA D/O NAGAPPA,  
AGE: 25 YEARS, OCC: UNEMPLOYED,  
R/AT 1<sup>ST</sup> CROSS, KARMIKARA COLONY,  
NEAR MCC SHAILO, SHAKTI NAGAR-584170,  
TALUK & DISTRICT RAICHUR.
25. SRI GOVINDU S/O GOVINDU,  
AGE: 26 YEARS OCC: UNEMPLOYED,  
R/AT BAIDODDI-584102, POST: SINGANODI,  
TALUK & DISTRICT RAICHUR.
26. SRI SHIVKUMAR S/O RAMANAGOWDA,  
AGE: 26 YEARS OCC: UNEMPLOYED,  
R/AT VENKATESHWARA COLONY,  
LINGASUGUR-584122, TALUK LINGASUGURU,  
DISTRICT RAICHUR.
27. SMT. RAMULAMMA D/O NARASIMHALU,  
AGE: 25 YEARS OCC: UNEMPLOYED,  
R/AT HOUSE NO.13/6/373,  
RAMANAGAR BADAVANE,  
POST YARAMARAS-584134,



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TALUK & DISTRICT RAICHAUR.

...RESPONDENTS

(BY SRI MALLIKARJUN C.BASAREDDY, GA FOR R1 TO R3;

SRI KRUPASAGAR PATIL AND SRI AJAYKUMAR A.K.  
ADVOCATES FOR R16 TO R23 AND R25 TO R27;

NOTICE TO R7, R10, R12 AND R24 IS HELD SUFFICIENT VIDE  
ORDER DATED 23.07.2019 AND 16.01.2023 AND NOTICE TO  
R4 TO R6, R8, R9, R11, R13 TO R15 IS DISPENSED WITH VIDE  
ORDER DATED 16.01.2023)

THIS WRIT PETITION FILED UNDER ARTICLE 227 OF THE  
CONSTITUTION OF INDIA, PRAYING TO QUASH THE FINAL  
ORDER DATED 08.08.2017 PASSED IN APPLICATION  
NO.1450/2017 PASSED BY THE HON'BLE KARNATAKA  
ADMINISTRATIVE TRIBUNAL AT BENGALURU. THE CERTIFIED  
COPY OF SAID ORDER IS FILED AND MARKED AS ANNEXURE-C  
AND QUASH THE ORDER DATED 21.02.2017 PASSED BY THE  
RESPONDENT NO.2 IN FILE NO.A4/PRA/SHI/NEMAKA/NOTICE/  
VAJA/2015-16, THE COPY OF WHICH IS AT ANNEXURE-A13  
AND QUASH THE FINAL ORDER DATED 07.12.2016 PASSED IN  
APPLICATION NO.1446-1457/2015 BY THE HON'BLE  
KARNATAKA ADMINISTRATIVE TRIBUNAL AT BENGALURU, THE  
COPY OF WHICH IS AT ANNEXURE-9 AND ALSO TO QUASH THE  
REVISED FINAL SELECTION LIST DATED 20.01.2017 IN  
NO.PRA/SHI/NEMAKA-1/2014-15 INsofar AS DELETING THE  
NAME OF THE PETITIONER HEREIN FROM THE FINAL  
SELECTION LIST AND INCLUSION OF THE NAMES OF  
RESPONDENTS NO.3 TO 14 HEREIN, THE COPY OF WHICH IS  
AT ANNEXURE-B10.

**IN W.P.NO.208300/2017**

**BETWEEN:**

SHIVAPPA S/O THIMAPPA,  
AGED ABOUT 28 YEARS,  
OCC ASSISTANT TEACHER  
(NOW UNDER THE ORDER OF DIMISSAL)  
GOVERNMENT HIGHER PRIMARY SCHOOL,  
MIRAJ PURA, TQ. & DIST : RAICHUR.  
R/O VILLAGE JAMBALADINNI,



TQ. & DIST : RAICHUR.

...PETITIONER

(BY SRI MAHESH PATIL, ADVOCATE)

**AND:**

1. THE SPECIAL OFFICER,  
CENTRALISED ADMISION CELL,  
K.G.ROAD, OPP.CAUVERY BHAVAN,  
BANGALORE-01.
2. THE DEPUTY DIRECTOR OF PUBLIC INSTRUCTION  
(ADMINISTRATION) & SELECTION AUTHORITY,  
RAICHUR, DISTRICT RAICHUR - 584 101.
3. THE BLOCK EDUCATION OFFICER/  
SELECTION AUTHORITY, TQ : RAICHUR,  
DISTRICT RAIHCUR - 584 101.
4. PRABHANNA S/O C.CHANNABASAPPA,  
AGE : MAJOR, R/AT YATAGAL,  
POST : KOPPAR-584111,  
TALUKA DEVAGANGA, DIST: RAICHUR.
5. KUM.SUMALATHA D/O RAYANAGOWDA,  
AGE : MAJOR, R/O AT PO TURAVIHALA-584132,  
TALUKA : SINDHANUR, DIST: RAICHUR.
6. SRI BUKKANAGOWDA S/O AMAREGOWDA  
POLICE PATIL, AGE : MAJOR,  
R/O KILLARAHATTI,  
POST: UPPARANANDIHAL-584125,  
TALUKA : LINGASUGUR, DIST: RAICHUR.
7. SRI ARJUNA S/O MANAPPA,  
AGE : MAJOR, R/O AT &  
POST : MASKI -584124,  
TALUKA : LINGASUGUR  
DIST: RAICHUR.
8. KUM.SHAILAJA D/O MUTHAPPA,  
AGE : MAJOR, R/AT & PO SIYATALAB -584102,  
NEAR SUDDIMULA PRESS OFFICE,



TALUKA & DIST: RAICHUR.

9. SMT. THIMMAMMA  
W/O YAMANAPPA BHAJANTRI,  
AGE : MAJOR, R/AT & PO: AMDIHAL - 584125,  
TALUKA :LINGASUGUR, DIST: RAICHUR.
10. SRI CHANNABASAVA S/O AMARESH,  
AGE :MAJOR, R/A CHALUVADI AREA,  
VIDYANAGAR, MANVI-584129,  
DIST: RAICHUR.
11. SRI LALASINGH S/O BIKKEPPA,  
AGE : MAJOR, R/O THIMMAPURA THANDA,  
POST: KANNALA - 584125,  
TALUKA : LINGASUGUR, DIST: RAICHUR.
12. KUM. MENAKA D/O DEVENDRAPPA BHANDARI,  
AGE : MAJOR, R/A 8<sup>TH</sup> WARD, INDIRANAGAR,  
KARATAGI-583229, TALUK GANGAVATHI,  
DIST: KOPPAL.
13. SRI RAJASHEKHAR S/O SHARANAPPA D.,  
AGE : MAJOR, R/O RAMPURA VILLAGE,  
YERAMARAS CAMP-584135,  
TALUKA & DIST: RAICHUR.
14. SRI SHANKARAYYA S/O GUNDAYYA,  
AGE : MAJOR, R/A BAYYAPURA,  
POST : KAIRAVADAGI - 584125,  
TALUKA: LINGASUGUR, DIST: RAICHUR.
15. KUM. SHAKUNTHALA D/O VEERANAGOWDA,  
AGE : MAJOR, R/A AT & POST: MATAMARI - 584202  
TALUKA & DIST: RAICHUR.
16. SRI RENUKARAJ S/ DHARMAPPA,  
AGE: 25 YEARS, OCC: UNEMPLOYED,  
R/AT TORANADINNI, TALUKA MANVI,  
DISTRICT RAICHUR-584202.
17. SMT.SUREKHA D/O MAHIPALAREDDY,  
AGE: 25 YEARS OCC: UNEMPLOYED,  
R/AT MYAKAL - 585309, POST GOGI K.,



TALUK SHAHAPUR, DISTRICT YADGIR.

18. SRI VISHWANATH D/O DODDABASAPPA,  
AGE: 25 YEARS OCC: UNEMPLOYED,  
R/AT & PO YARADONA,  
TALUKA LINGASUGUR-584115,  
DISTRICT RAICHUR.
19. SRI SABANNA S/O HANUMANTHAPPA,  
AGE: 29 YEARS, OCC: UNEMPLOYED,  
R/AT & PO ANWARI-584120,  
TALUKA LINGASUGUR, DISTRICT RAICHUR.
20. SMT. SHARANAMMA D/O ANATHREDDY,  
AGE: 29 YEARS OCC: UNEMPLOYED,  
R/AT ALADARTHY TANDA,  
POST MUSTURU-58416,  
R/A TALUK: DEVADURGA,  
DISTRICT RAICHUR.
21. SMT. SHIVAMMA D/O HONAPPA,  
AGE: 28 YEARS OCC: UNEMPLOYED,  
R/AT & POST: SUNKESHWARA HAL - 584101,  
TALUK: DEVADURGA, DISTRICT RAICHUR.
22. SRI HONAPPA S/O MALLESHA,  
AGE: 26 YEARS, OCC: UNEMPLOYED,  
R/AT HEMANALA, TALUK: DEVADURGA,  
DISTRICT RAICHUR - 584 101.
23. SRI MOUNESH S/O GAVIYAPPA,  
AGE: 26 YEARS, OCC: UNEMPLOYED,  
R/AT GAVIGATTI-584129, POST AALDALA,  
TALUK: MANVI, DISTRICT RAICHUR.
24. SMT. SUJATHA D/O NAGAPPA,  
AGE: 27 YEARS, OCC: UNEMPLOYED,  
R/AT 1<sup>ST</sup> CROSS, KARMIKARA COLONY,  
NEAR MCC SHAILO, SHAKTI NAGAR-584170,  
TALUK & DISTRICT RAICHUR.
25. SRI GOVINDU S/O GOVINDU,  
AGE: 28 YEARS OCC: UNEMPLOYED,  
R/AT BAIDODDI-584102, POST: SINGANODI,



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TALUK & DISTRICT RAICHUR.

26. SRI SHIVKUMAR S/O RAMANAGOWDA,  
AGE: 28 YEARS OCC: UNEMPLOYED,  
R/AT VENKATESHWARA COLONY,  
LINGASUGUR-584122, TALUK LINGASUGURU,  
DISTRICT RAICHUR.
27. SMT. RAMULAMMA D/O NARASIMHALU,  
AGE: 25 YEARS OCC: UNEMPLOYED,  
R/AT HOUSE NO.13/6/373,  
RAMANAGAR BADAVANE,  
TALUK & DISTRICT RAICHAUR - 584 101.

...RESPONDENTS

(BY SRI MALLIKARJUN C.BASAREDDY, GA FOR R1 TO R3;  
SRI KRUPASAGAR PATIL AND SRI AJAYKUMAR A.K.  
ADVOCATES FOR R16 TO R23 AND R25 TO R27;

NOTICE TO R4, R5, R7 TO R13 AND R15 ARE SERVED;

NOTICE TO R6 IS HELD SUFFICIENT VIDE ORDER DATED  
26.06.2018, NOTICE TO R24 IS HELD SUFFICIENT VIDE ORDER  
DATED 05.12.2022, NOTICE TO R14 IS DISPENSED WITH VIDE  
ORDER DATED 16.01.2023)

THIS WRIT PETITION FILED UNDER ARTICLE 227 OF THE  
CONSTITUTION OF INDIA, PRAYING TO QUASH THE FINAL  
ORDER DATED 08.08.2017 PASSED IN APPLICATION  
NO.2355/2017 PASSED BY THE HON'BLE KARNATAKA  
ADMINISTRATIVE TRIBUNAL AT BENGALURU. THE CERTIFIED  
COPY OF SAID ORDER IS FILED AND MARKED AS ANNEXURE-C  
AND QUASH THE ORDER DATED 07.12.2016 PASSED IN  
APPLICATION NO.1446-1457/2016 PASSED BY THE HON'BLE  
KARNATAKA STATE ADMINISTRATIVE TRIBUNAL AT  
BENGALURU, THE CERTIFIED COPY OF THE SAID ORDER IS AT  
ANNEXURE-A6; TO QUASH THE ORDER DATED 20.02.2017  
PASSED BY THE RESPONDENT NO.2 IN FILE  
NO.C4/PRA/SHI/NEMAKA/NOTICE/VAJA/2015-16, THE COPY OF  
WHICH IS AT ANNEXURE-A9 AND ALSO TO QUASH THE  
REVISED FINAL SELECTION LIST DATED 20.01.2017 IN  
NO.PRA/SHI/NEMAKA-1/2014-15 INsofar AS DELETING THE  
NAME OF THE PETITIONER HEREIN FROM THE FINAL  
SELECTION LIST AND INCLUSION OF THE NAMES OF



**WP No. 208299 of 2017**  
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RESPONDENTS NO.3 TO 14 HEREIN, THE COPY OF WHICH IS AT ANNEXURE-B.

**IN W.P.NO.208301/2017**

**BETWEEN:**

VIMALA VICTORIA RANI D/O RAJAPPA S.,  
AGE : 35 YEARS, OCC : GRADUATE ASSISTANT  
TEACHER, GOVERNMENT HIGHER PRIMARY SCHOOL,  
THIMMAPURA, SINDHANOOR TALUK,  
RAICHUR DISTRICT, R/AT & POST : GANDHINAGAR,  
MANVI TALUK, RAICHUR - 584 101.

...PETITIONER

(BY SRI CHAITANYAKUMAR CHANDRIKI, ADVOCATE)

**AND:**

1. THE DEPUTY DIRECTOR OF  
PUBLIC INSTRUCTION & SELECTION AUTHORITY,  
RAICHUR, DISTRICT RAICHUR - 584 101.
2. THE BLOCK EDUCATION OFFICER/  
SELECTING AUTHORITY,  
SINDHANOOR TALUK,  
RAICHUR DISTRICT - 584 128.

...RESPONDENTS

(BY SRI MALLIKARJUN C.BASAREDDY, GA)

THIS WRIT PETITION FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI THEREBY QUASHING THE IMPUGNED ORDER DATED 08.08.2017 PASSED BY THE KARNATAKA ADMINISTRATIVE TRIBUNAL AT BENGALURU IN APPLICATION NO.1301/2017 VIDE ANNEXURE-A IN THE INTEREST OF JUSTICE AND EQUITY. ISSUE A WRIT IN THE NATURE OF CERTIORARI THEREBY QUASHING THE IMPUGNED ORDER DATED 20.02.2017 ISSUED BY THE RESPONDENT NO.2 IN BEARING NO.A4/PRA SHA SHI/NEMAKA/NOTICE/VAJA/2015-16 AS AT ANNEXURE-A11 ANNEXED TO THE APPLICATION IN THE INTEREST OF JUSTICE AND EQUITY.



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**C/W WP No. 208300 of 2017**  
**WP No. 208301 of 2017**  
**WP No. 208314 of 2017**

**IN W.P.NO.208314/2017**

**BETWEEN:**

ARJUN S/O MANAPPA,  
AGED ABOUT 26 YEARS,  
OCC : ASSISTANT TEACHER,  
(NOW UNDER THE ORDER OF DIMISSAL)  
GOVERNMENT HIGHER PRIMARY SCHOOL,  
HEDAGINALA, TQ : SINDHANOOR,  
DIST : RAICHUR,  
R/O VILLAGE VENKATAPURA,  
POST : MASKI, TQ : LINGASUGUR,  
DISTRICT : RAICHUR.

...PETITIONER

(BY SRI MAHESH PATIL, ADVOCATE)

**AND:**

1. THE SPECIAL OFFICER,  
CENTRALISED ADMISION CELL,  
K.G.ROAD, OPP.CAUVERY BHAVAN,  
BANGALORE-1.
2. THE DEPUTY DIRECTOR OF PUBLIC INSTRUCTION  
(ADMINISTRATION) & SELECTION AUTHORITY,  
RAICHUR, DISTRICT RAICHUR - 584 101.
3. THE BLOCK EDUCATION OFFICER/  
SELECTION AUTHORITY,  
TQ : SINDHANOOR, DISTRICT RAIHCUR - 584 132.
4. PRABHANNA S/O C.CHANNABASAPPA,  
AGE : MAJOR, R/AT YATAGAL,  
POST : KOPPAR-584111,  
TALUKA DEVAGANGA, DIST: RAICHUR.
5. KUM.SUMALATHA D/O RAYANAGOWDA,  
AGE : MAJOR, R/O AT PO TURAVIHALA-584132,  
TALUKA : SINDHANUR, DIST: RAICHUR.
6. SRI BUKKANAGOWDA S/O AMAREGOWDA  
POLICE PATIL, AGE : MAJOR,  
R/O KILLARAHATTI,  
POST: UPPARANANDIHAL-584125,



**WP No. 208299 of 2017**  
**C/W WP No. 208300 of 2017**  
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**WP No. 208314 of 2017**

TALUKA :LINGASUGUR, DIST: RAICHUR.

7. SRI ARJUNA S/O MANAPPA,  
AGED: MAJOR, R/O AT & POST : MASKI -584124,  
TALUKA : LINGASUGUR, DIST: RAICHUR.
8. KUM.SHAILAJA D/O MUTHAPPA,  
AGE : MAJOR, R/AT & PO SIYATALAB -584102,  
NEAR SUDDIMULA PRESS OFFICE,  
TALUKA & DIST: RAICHUR.
9. SMT. THIMMAMMA W/O YAMANAPPA BHAJANTRI,  
AGE : MAJOR, R/AT & PO: AMDIHAL - 584125,  
TALUKA :LINGASUGUR, DIST: RAICHUR.
10. SRI CHANNABASAVA S/O AMARESH,  
AGE :MAJOR, R/A CHALUVADI AREA,  
VIDYANAGAR, MANVI-584129,  
DIST: RAICHUR.
11. SRI LALASINGH S/O BIKKEPPA,  
AGE :MAJOR, R/O THIMMAPURA THANDA,  
POST: KANNALA - 584125,  
TALUKA : LINGASUGUR, DIST: RAICHUR.
12. KUM. MENAKA D/O DEVENDRAPPA BHANDARI,  
AGE : MAJOR, R/A 8<sup>TH</sup> WARD INDIRANAGAR,  
KARATAGI-583229, TALUK GANGAVATHI,  
DIST: KOPPAL.
13. SRI RAJASHEKHAR S/O SHARANAPPA D.,  
AGE : MAJOR, R/O RAMPURA VILLAGE,  
YERAMARAS CAMP-584135,  
TALUKA & DIST: RAICHUR.
14. SRI SHANKARAYYA S/O GUNDAYYA,  
AGE : MAJOR, R/A BAYYAPURA,  
POST : KAIRAVADAGI - 584125,  
TALUKA: LINGASUGUR, DIST: RAICHUR.
15. KUM. SHAKUNTHALA D/O VEERANAGOWDA,  
AGE : MAJOR, R/A AT & POST: MATAMARI - 584202  
TALUKA & DIST: RAICHUR.



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**WP No. 208301 of 2017**  
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16. SRI RENUKARAJ S/ DHARMAPPA,  
AGE: 27 YEARS, OCC: UNEMPLOYED,  
R/AT TORANADINNI, TALUKA MANVI,  
DISTRICT RAICHUR-584129.
17. SMT.SUREKHA D/O MAHIPALAREDDY,  
AGE: 27 YEARS OCC: UNEMPLOYED,  
R/AT MYAKAL - 585309, POST GOGI K.,  
TALUK SHAHAPUR, DISTRICT YADGIR.
18. SRI VISHWANATH D/O DODDABASAPPA,  
AGE: 27 YEARS OCC: UNEMPLOYED,  
R/AT & PO YARADONA,  
TALUKA LINGASUGUR-584115,  
DISTRICT RAICHAUR.
19. SRI SABANNA S/O HANUMANTHAPPA,  
AGE: 29 YEARS, OCC: UNEMPLOYED,  
R/AT & PO ANWARI-584120,  
TALUKA LINGASUGUR, DISTRICT RAICHUR.
20. SMT. SHARANAMMA D/O ANATHREDDY,  
AGE: 29 YEARS OCC: UNEMPLOYED,  
R/AT ALADARTHY TANDA, POST MUSTURU-584126,  
R/A TALUK: DEVADURGA, DISTRICT RAICHUR.
21. SMT. SHIVAMMA D/O HONAPPA,  
AGE: 28 YEARS OCC: UNEMPLOYED,  
R/AT & POST: SUNKESHWARA HAL - 584101,  
TALUK: DEVADURGA, DISTRICT RAICHUR.
22. SRI HONNAPPA S/O MALLESHA,  
AGE: 26 YEARS, OCC: UNEMPLOYED,  
R/AT HEMANALA, TALUK: DEVADURGA,  
DISTRICT RAICHUR - 584 101.
23. SRI MOUNESH S/O GAVIYAPPA,  
AGE: 26 YEARS, OCC: UNEMPLOYED,  
R/AT GAVIGATTI-584129, POST AALDALA,  
TALUK: MANVI, DISTRICT RAICHUR.
24. SMT. SUJATHA D/O NAGAPPA,  
AGE: 27 YEARS, OCC: UNEMPLOYED,  
R/AT 1<sup>ST</sup> CROSS, KARMIKARA COLONY,



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NEAR MCC SHAILO, SHAKTI NAGAR-584170,  
TALUK & DISTRICT RAICHUR.

25. SRI GOVINDU S/O GOVINDU,  
AGE: 28 YEARS OCC: UNEMPLOYED,  
R/AT BAIDODDI-584102, POST: SINGANODI,  
TALUK & DISTRICT RAICHUR.
26. SRI SHIVKUMAR S/O RAMANAGOWDA,  
AGE: 28 YEARS OCC: UNEMPLOYED,  
R/AT VENKATESHWARA COLONY,  
LINGASUGUR-584122, DISTRICT RAICHUR.
27. SMT. RAMULAMMA D/O NARASIMHALU,  
AGE: 27 YEARS OCC: UNEMPLOYED,  
R/AT HOUSE NO.13/6/373,  
RAMANAGAR BADAVANE,  
TALUK & DISTRICT RAICHUR - 584 101.

...RESPONDENTS

(BY SRI MALLIKARJUN C.BASAREDDY, GA FOR R1 TO R3;  
SRI KRUPASAGAR PATIL AND SRI AJAYKUMAR A.K.  
ADVOCATES FOR R16 TO R23 AND R25 TO R27;  
NOTICE TO R4, R7 TO R13 AND R15 ARE SERVED,  
R24 IS SERVED THROUGH COURT NOTICE;  
NOTICE TO R5 AND R14 ARE HELD SUFFICIENT VIDE ORDER  
DATED 05.12.2022;  
NOTICE TO R24 IS HELD SUFFICIENT VIDE ORDER DATED  
16.01.2023;  
NOTICE TO R6 IS HELD SUFFICIENT VIDE ORDER DATED  
26.06.2018)

THIS WRIT PETITION FILED UNDER ARTICLE 227 OF THE  
CONSTITUTION OF INDIA, PRAYING TO QUASH THE FINAL  
ORDER DATED 08.08.2017 PASSED IN APPLICATION  
NO.1303/2017 PASSED BY THE HON'BLE KARNATAKA  
ADMINISTRATIVE TRIBUNAL AT BENGALURU. THE CERTIFIED  
COPY OF SAID ORDER IS FILED AND MARKED AS ANNEXURE-C  
AND QUASH THE FINAL ORDER DATED 07.12.2016 PASSED IN  
APPLICATION NO.1446-1457/2015 BY THE HON'BLE  
KARNATAKA ADMINISTRATIVE TRIBUNAL AT BENGALURU, THE



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COPY OF WHICH IS AT ANNEXURE-A6; QUASH THE ORDER DATED 20.02.2017 PASSED BY THE RESPONDENT NO.2 IN FILE NO.A4/PRA/SHI/NEMAKA/NOTICE/VAJA/2015-16, THE COPY OF WHICH IS AT ANNEXURE-A10 AND ALSO TO QUASH THE REVISED FINAL SELECTION LIST DATED 20.01.2016 IN NO.PRA/SHI/NEMAKA-1/2014-15 INsofar AS DELETING THE NAME OF THE PETITIONER HEREIN FROM THE FINAL SELECTION LIST AND INCLUSION OF THE NAMES OF RESPONDENTS NO.16 TO 27 HEREIN, THE COPY OF WHICH IS AT ANNEXURE-R10.

THESE PETITIONS COMING ON FOR HEARING, THIS DAY **S.SUNIL DUTT YADAV, J.**, MADE THE FOLLOWING:

**ORDER**

The W.P.No.208299/2017 is taken up along with W.P.Nos.208300, 208301 and 208314/2017, as it is noticed that the order of the Tribunal that has been challenged. In terms of the orders of the Tribunal wherein the applicants had called in question the validity of the memoranda dated 21.02.2017 at Annexure-A13 in Application No.1450/2017, order dated 20.02.2017 at Annexure-A11 in Application No.1301/2017, order dated 20.02.2017 at Annexure-A10 in Application N.1303/2017 and the order dated 20.02.2017 at Annexure-A9 in Application No.2355/2017 has been assailed whereby the services of the petitioners had been terminated.

2. As per the said order impugned before the Tribunal, the respondent-Government Authority had redrawn the selection list and accordingly the names of the applicants who



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are petitioners in various writ petitions had been deleted with immediate effect. As per the said order, it was stated that the selection list was redrawn pursuant to orders passed by the Tribunal.

3. It is submitted that pursuant to such direction to consider the case of the other candidates also and on finding that the other candidates were above in the list as per their eligibility, names of the applicants were left out.

4. The facts that have been made out are that applications were filed before the Tribunal by certain candidates in Application Nos.1446-1457/2016 whereby the applicants had called in question the selection list for the post of Assistant Teachers in Higher Primary School and Graduate Assistant Teachers in Higher Primary School as per the notification of 23.03.2015. The said candidates were aggrieved by the deletion of their names from the selection list on taking into account that they were pursuing Diploma in Education course along with Bachelor of Arts degree course simultaneously. The authorities at the relevant point of time were of the opinion that such simultaneous pursuing of Diploma in Education and Bachelor of Arts degree course was impermissible and



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accordingly had not taken note of both such qualifications. Such action was challenged before the Tribunal which disposed of the applications directing the respondents to consider the case of such of the candidates, if they were meritorious and eligible and to complete such consideration within three months. The Tribunal after noticing the contentions has observed that though there was overlapping between the two courses i.e., Diploma in Education and Bachelor of Arts, even if there was such overlapping, that was not a valid ground to reject the case of the candidates. The Tribunal had also noticed that similarly placed candidates in districts in Kalaburagi Division who had completed Diploma in Education and certain semester of Bachelor of Arts in the same year were considered and accordingly Tribunal held that different standards could not be applied as regards selection in different districts, when the selection is for the same post with same qualification. Accordingly, the endorsement to such of the candidates rejecting their claim for selection came to be set-aside and the respondent authorities were directed to consider case of the applicants for appointment to the post of Primary School Graduate Assistant Teachers of standards 6<sup>th</sup> to 8<sup>th</sup> under



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respective categories as per the recruitment notification dated 23.03.2015.

5. Pursuant to the said order of the Karnataka Administrative Tribunal, the respondent-authorities are stated to have re-looked into the selection process and after finding that the such of the candidates were eligible, notices came to be issued to the applicants before the Tribunal in the second round who are petitioners herein to show cause as to why their services may not be terminated in light of redrawing of the selection list pursuant to the directions in Application Nos.1446-1457/2016 and connected matters. The stand of the applicants who are petitioners herein was that they were not responsible for the issuance of the earlier selection list and they were bonafide candidates and had completed one year of service and accordingly having worked for a year, their interest could be taken note of by affording them appointment in other vacancies. However, the respondent/State has passed orders terminating the services of the applicants/petitioners vide reasoned order. Such order came to be challenged before the Tribunal raising various grounds including that the applicants herein were not parties before the Tribunal in Application



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Nos.1446-1457/2016 and direction by the Tribunal was obtained behind their back and they could not be penalized for no fault of theirs. The Tribunal has passed a detailed order and had also observed that the non-taking into consideration the case of the candidates who had completed Diploma in Education and Bachelor of Arts Decree, pursuing the same simultaneously was indeed erroneous and observed that unless such of their degrees obtained were set-aside, same were required to be considered and taken note of. The Tribunal noticed that there was redrawing of the selection list pursuant to the direction in Application Nos.1446-1457/2016. It was also noticed that some of the persons similarly situated as that of the applicants were impleaded in the proceedings in the earlier round in Application Nos.1446-1457/2016.

6. Though it is contended that the applicants herein were not arrayed as parties in Application Nos.1446-1457/2016 and that observation of the Tribunal is erroneous, however what is to be noticed is that the Tribunal in Application Nos.1446-1457/2016 has merely directed redrawing of the selection list in terms of the eligibility of the candidates by



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taking note of their qualifications of Diploma in Education and Bachelor of Arts degree, for which they had degrees.

7. The case of such of the candidates was directed to be reconsidered and it was found that their non-consideration was contrary to law, the direction to redraw the final selection list which has been resorted to taking note of the interests of candidates whose rights were infringed by a illegal non-consideration which has been set-aside. The consequential redrawing of the selection list on the ground that the applicants were much below in the zone of consideration and the other candidates were above them is a matter that cannot be interfered with. That they have worked continuously for about one year would not in any way confer any substantive right on the applicants.

8. It is also noticed as per the final selection list dated 20.01.2016 issued by the Selection Authority and Deputy Director for Public Instruction (Administration), Raichur there is a clause in the preamble, which reads as follows;-

*"The selection of candidates is provisional,  
subject to alteration as per the direction received  
from the Government and Court time to time."*



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The said aspect has also been considered by the Tribunal.

9. We find that the scope of interference in the orders of the Tribunal is rather limited and we do not find any jurisdictional error. Further, it is admitted that applicants come below in the merit list. If that were to be so, offices of the public employment require to be filled by those having higher eligibility which is a legitimate expectation which has been recognized. Accordingly, we find no ground to interfere with the order of the Tribunal and the writ petitions are rejected.

10. It is up to the Government to examine whether any request made by the petitioners could be accommodated as per law.

11. I.A.No.2/2018 in W.P.No.208299/2017 is allowed and production of translation copies of Annexures is dispensed with.

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

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

SN  
List No.: 1 Sl No.: 23