



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. JUSTICE S SUNIL DUTT YADAV

AND

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

AND

THE HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

WRIT APPEAL NO. 1006 OF 2023 (S-RES)

C/W

WRIT APPEAL NO. 1162 OF 2023 (S-RES)

WRIT APPEAL NO. 1312 OF 2023 (S-RES)

IN W.A. No. 1006/2023

BETWEEN:

1. THE REGISTRAR GENERAL
HIGH COURT OF KARNATAKA
DR AMBEDKAR VEEDHI ,
BANGALORE - 560 001

... APPELLANT

(BY SRI. S.S NAGANAND., SENIOR ADVOCATE FOR
SMT. SUMANA NAGANAND, ADVOCATE)

AND:

1. SRI PAVANESH D
S/O LATE SURESH D
AGED ABOUT 42 YEARS





NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

NOW WORKING AS REGISTRAR
HON'BLE SUPREME COURT OF INDIA
TILAK MARG, NEW DELHI
DELHI - 110 201

2. SRI H J MARULASIDDARADHYA
S/O JAYAMANGALARADAHYA
AGED ABOUT 42 YEARS
NOW WORKING AS ADDL. REGISTRAR GENERAL
HIGH COURT OF KARNATAKA
BENCH AT KALABURAGI,
KALABURAGI - 585 103
3. SRI SUDINDRANATH S
S/O SAINATH
AGED ABOUT 44 YEARS
NOW WORKING AS
XIII ADDL CITY CIVIL AND SESSIONS JUDGE
BENGALURU CITY
(MAYO HALL UNIT)
OPPOSITE CENTRAL MALL
M G ROAD BANGALORE - 560 001
4. SRI SYED BALEEGUR RAHAMAN
S/O SYED KALEEMULLA,
AGED ABOUT 46 YEARS
NOW WORKING AS
ADDL DISTRICT AND SESSIONS JUDGE
FTSC- I, BAGALKOT - 587 101
5. THE STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY
DEPARTMENT OF LAW JUSTICE AND HUMAN RIGHTS



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

VIDHANA SOUDHA
BENGALURU - 560 001

6. THE STATE OF KARNATAKA
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY,
DEPARTMENT OF PERSONNEL AND
ADMINISTRATIVE AFFAIRS
VIDHANA SOUDHA
BANGALORE - 560 001

7. SMT A K NAVEEN KUMARI
RETIRED DISTRICT JUDGE
AGED ABOUT 62 YEARS,
RESIDING AT K NARENDRA BABU
MARUTHI SERVICE STATION
NO.2621/15 , 3RD MAIN
V V MOHALLA, MYSURU - 570 002

8. SRI C RAJASHEKARA
RETIRED DISTRICT JUDGE
AGED ABOUT 60 YEARS
RESIDING AT NO.539,
5TH CROSS, 3RD MAIN,
HEALTH LAYOUT,
ANNAPOORNESHWARI NAGAR,
NAGARABHAVI
BENGALURU - 560 072

9. SRI . K. SUBRAMANYA
RETIRED DISTRICT JUDGE
AGED ABOUT 60 YEARS
RESIDING AT NO.166,
6TH CROSS NAVILU ROAD,



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

KUVEMPU NAGAR
MYSURU - 570 023

10. SRI K R NAGARAJA
AGED ABOUT 59 YEARS
NOW WORKING AS MEMBER
KARNATAKA APPELLATE TRIBUNAL
M S BUILDING ,
DR AMBEDKAR VEEDHI
BENGALURU - 560 001
11. SMT RAJESHWARI N HEGDE
AGED ABOUT 56 YEARS
NOW WORKING AS
PRL DISTRICT AND SESSIONS JUDGE
DAVANGERE - 577 006
12. SRI MOHAMED MUJAHID ULLA
RETIRED DISTRICT JUDGE
AGED ABOUT 62 YEARS
RESIDING AT SWARNA MERIDIAN APARTMENTS,
FLAT NO.FT2, 4TH FLOOR, 29TH MAIN
BTM 2ND STAGE, N S PALYA
BENGALURU - 560 076
13. SMT B V RENUKA
AGED ABOUT 57 YEARS
NOW WORKING AS CHIEF JUDGE
COURT OF SMALL CAUSES
BENGALURU CITY ,
CIVIL COURT COMPLEX, K G ROAD,
BENGALURU - 560 009
14. SMT B S REKHA
AGED ABOUT 53 YEARS



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

NOW WORKING AS
PRL. DISTRICT AND SESSIONS JUDGE
CHITRADURGA - 577 501

15. SRI SHUBHAVEER V
RETIRED DISTRICT JUDGE,
AGED ABOUT 60 YEARS
RESIDING AT 'ANI' KAYERMAJAL,
BEHRU NAGAR POST,
PUTTUR TALUK,
DAKSHINA KANNADA - 574 203
16. SMT MEENAXI M BANI
RETIRED DISTRICT JUDGE
AGED ABOUT 60 YEARS
RESIDING AT RAVIWAR PETH,
NEAR LAXMI NARAYAN TEMPLE,
DHARWAD - 580 004
17. SRI.S. DESHPANDE GOVINDRAJ
RETIRED DISTRICT JUDGE,
AGED ABOUT 59 YEARS,
RESIDING AT NO.704,
5A BLOCK OLEANDER,
PROVIDENT PARK SQUARE APARTMENT,
JUDICIAL LAYOUT,
KANAKAPURA ROAD
BENGALURU - 560 062
18. SRI H CHANNEGOWDA
RETIRED DISTRICT JUDGE
AGED ABOUT 61 YEARS
RESIDING AT
B/O L N GOWDA
NO.253, 5TH CROSS,



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

13TH MAIN, M C M LAYOUT
MALLATHAHALLI,
BENGALURU - 560 056

19. SRI NINGAPPA PARASHURAM KOPARDE
AGED ABOUT 59 YEARS
NOW WORKING AS
DISTRICT AND SESSIONS JUDGE
RAMANAGARA - 562 159
20. SRI MADHUSUDHAN B
RETIRED DISTRICT JUDGE
AGED ABOUT 60 YEARS
RESIDING AT
C/O B KISHNARAO
ADVOCATE
TEGGINA ONI, KUSHTAGI
TALUK KUSHTAGI
DISTRICT KOPPAL - 584 121
21. SRI SHANTAVEER SHIVAPPA
AGED ABOUT 56 YEARS
NOW WORKING AS
PRL DISTRICT AND SESSIONS JUDGE
UDUPI - 576 101
22. SRI RAVINDRA M JOSHI
AGED ABOUT 59 YEARS
NOW WORKING AS
PRL. DISTRICT AND SESSIONS JUDGE
D K MANGALURU - 575 003
23. SMT K G SHANTHI
AGED ABOUT 54 YEARS
NOW WORKING AS



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

PRL DISTRICT AND SESSIONS JUDGE
DHARWAD - 580 008

24. SMT SAVITRI VENKATARAMANA BHAT
RETIRED DISTRICT JUDGE,
AGED ABOUT 61 YEARS,
RESIDING AT
C/O JAYANTH AITHAL,
HOUSE NO.5-144, CARSTREET,
NEAR ANANTA PADMANABHA TEMPLE
PERUDUR
UDUPI DISTRICT - 576 124

25. SRI VIJAYAKUMAR MALKAJAPPA PAWALE,
RETIRED DISTRICT JUDGE
AGED ABOUT 61 YEARS,
RESIDING AT CITY VILLE VALMARK VILLAMENT,
NO.499 BLOCK NO.12,
TEJASHWINI NAGAR
KAMMANAHALLI OFF
BANNERGHATTA ROAD
BEGUR HOBLI, HULIMAVU
BENGALURU - 560 076

26. SRI KRISHNAJI BABU RAO PATIL
AGED ABOUT 59 YEARS
NOW WORKING AS
PRL DISTRICT AND SESSIONS JUDGE
KALABURAGI - 585 102

27. SRI SUNILDATT ANNAPPA CHIKKORDE
RETIRED DISTRICT JUDGE
AGED ABOUT 61 YEARS
RESIDING AT C/O V KRISHNA
NO.36, 3RD FLOOR, 4TH CROSS,



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

MALLESHWARAM
BANGALORE - 560 003

28. SRI JOSHI VENKATESH
RETIRED DISTRICT JUDGE
RESIDING AT
C/O KRISHNA V ASHRIT
ADVOCATE
BEHIND BUS STAND BUTTI
BASAVESHWAR NAGAR
MAIN TEMPLE ROAD
DISTRICT: KOPPAL, POST KUSHTAGI - 583 277

29. SRI PATIL MOHAMMAD GHOUSE MOHIDDIN
RETIRED DISTRICT JUDGE
AGE ABOUT 62 YEARS
RESIDING AT
HOSPET STREET
AT POST AND TALUK, HANGAL,
HAVERI DISTRICT - 581 110

30. SRI N R CHENNAKESHA
RETIRED DISTRICT JUDGE
AGED ABOUT 62 YEARS
RESIDING AT PAYASWINI NO 55,
NORTH PARK ROAD, DEEPA NAGAR
BOGADI, MYSURU - 570 026

31. SMT USHA RANI
AGED ABOUT 54 YEARS,
NOW WORKING AS REGISTRAR
KARNATAKA LOKAYUKTA,
M S BUILDING, DR AMBEDKAR VEEDHI
BANGALORE - 560 001



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

32. SRI G NANJUNDAIAH
RETIRED DISTRICT JUDGE
AGED ABOUT 59 YEARS
RESIDING AT C /O P M GOPI G-1,
NO.58-59, GAYATRI MEADOWS
CENTRAL EXCISE LAYOUT,
SANJAY NAGAR,
BENGALURU - 560 094
33. SRI MARUTI BAGADE
AGED ABOUT 55 YEARS,
NOW WORKING AS
PRL. DISTRICT AND SESSIONS JUDGE,
RAICHUR-584 101
34. SRI SHIVAJI ANANT NALAWADE
AGED ABOUT 57 YEARS,
NOW WORKING AS
PRL. DISTRICT AND SESSIONS JUDGE,
VIJAYAPURA-586 109
35. SRI A D MAHANTHAPPA
RETIRED DISTRICT JUDGE,
AGED ABOUT 60 YEARS,
R/AT C/O DAMAPPA A D.,
JANATHA COLONY, GUTTURU,
HARIHARA TALUK,
DAVANAGERE DISTRICT-577 601
36. SRI SHUKLAKSHA PALAN
AGED ABOUT 58 YEARS,
NOW WORKING AS
PRL., DISTRICT AND SESSIONS JUDGE,
KOLAR-563 101



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

37. SRI H C SHAMPRASAD
AGED ABOUT 58 YEARS,
NOW WORKING AS
PRL. DISTRICT AND SESSION JUDGE,
KODAGU MADIKERI-571 201

38. SRI G M SHEENAPPA
RETIRED DISTRICT JUDGE,
AGED ABOUT 61 YEARS,
R/AT NO.11/1, 6TH MAIN,
16TH CROSS, LAKKASANDRA,
BENGALURU-560 030

39. SRI D T PUTTARANGASWAMY
AGED ABOUT 58 YEARS,
NOW WORKING AS MEMBER,
KARNATAKA APPELLATE TRIBUNAL,
M S BUILDING,
DR AMBEDAKR VEEDHI,
BENGALURU-560 001

40. SRI D S VIJAYA KUMAR
AGED ABOUT 57 YEARS,
NOW WORKING AS
PRL., DISTRICT AND SESSION JUDGE,
U.K. KARWAR-581 301

41. SRI M BRUNGESHA
AGED ABOUT 55 YEARS
NOW WORKING AS DIRECTOR
ARBITRATION CENTER, KARNATAKA
(DOMESTIC AND INTERNATIONAL)
III FLOOR, KHANIJA BHAVAN
RACE COURSE ROAD
BENGALURU - 560 001



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

42. SRI R BANNIKATTI HANUMANTHAPPA
AGED ABOUT 57 YEARS
NOW WORKING AS
PRL DISTRICT AND DISTRICT AND
SESSIONS JUDGE
KOPPAL - 583 231

43. SRI MANJUNATH NAYAK
AGED ABOUT 54 YEARS
NOW WORKING AS
PRL DISTRICT AND SESSIONS JUDGE
SHIVAMOGGA - 577 201

44. SRI RAVINDRA HEGDE
AGED ABOUT 54 YEARS
NOW WORKING AS
PRL JUDGE, FAMILY COURT
BENGALURU - 560 027

45. SMT SARASWATHI VISHNU KOSANDAR
AGED ABOUT 52 YEARS
NOW WORKING AS
REGISTRAR (VIGILENCE)
HIGH COURT OF KARNATAKA
DR AMBEDKAR VEEDHI
BENGALURU - 560 001

46. SRI MOHAMMED KHAN M PATHAN
AGED ABOUT 52 YEARS
NOW WORKING AS
XXXI ADDL CITY CIVIL AND SESSIONS JUDGE
BENGALURU CITY
CITY CIVIL COURT COMPLEX
K G ROAD
BENGALURU - 560 009



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

47. SMT R SHARADA
RETIRED DISTRICT JUDGE
AGED ABOUT 61 YEARS,
RESIDING AT NO.65,
RENUKA VIHARA, YELLAMMA TEMPLE STREET,
BEHIND K R PURAM, RAILWAY STATION,
VIJINAPURA, BENGALURU - 560 016

48. SRI NARAHARI PRABHAKAR MARATHE
AGED ABOUT 57 YEARS,
NOW WORKING AS DISTRICT JUDGE,
OOD, LEAVE RESERVE,
HIGH COURT OF KARNATAKA,

DR AMBEDKAR VEEDHI,
BENGALURU - 560 001

49. SRI B JAYANTHA KUMAR
AGED ABOUT 55 YEARS,
NOW WORKING AS
DISTRICT AND SESSIONS JUDGE,
YADGIR - 585 201

50. SRI M CHANDRASHEKAR REDDY
AGED ABOUT 53 YEARS,
NOW WORKING AS
REGISTRAR (JUDICIAL),
HIGH COURT OF KARNATAKA,
DR AMBEDKAR VEEDHI,
BENGALURU - 560 001

51. SMT S NAGASHREE
AGED ABOUT 56 YEARS
NOW WORKING AS PRL. JUDGE,
FAMILY COURT, DHARWAD - 580 008



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

52. SRI C CHANDRASHEKHAR
AGED ABOUT 55 YEARS,
NOW WORKING AS
ADDITIONAL REGISTRAR (ENQUIRIES)
KARNATAKA LOKAYUKTHA,
M S BUILDING, DR AMBEDKAR VEEDHI,
BENGALURU - 560 001

53. SRI CHANDRASHEKHAR MARGOOR
AGED ABOUT 58 YEARS,
NOW WORKING AS
ADDITIONAL REGISTRAR (ENQUIRIES),
KARNATAKA LOKAYUKTHA,
M S BUILDING, DR AMBEDKAR VEEDHI,
BENGALURU - 560 001

54. SRI G A MANJUNATHA
AGED ABOUT 53 YEARS,
NOW WORKING AS
ADDL. DISTRICT AND SESSIONS JUDGE,
BIDAR - 585 401

55. SMT H R RADHA
AGED ABOUT 54 YEARS,
NOW WORKING AS
LXXXIV ADDL. CITY CIVIL AND SESSIONS JUDGE,
BENGALURU CITY, CITY CIVIL COURT COMPLEX,
K G ROAD, BENGALURU - 560 009

56. SRI K C SADANANDSWAMY @
SADANANDASWAMY KABBINAKANTHIMATH
AGED ABOUT 57 YEARS,
NOW WORKING AS
ADDL. DISTRICT AND SESSIONS JUDGE,
HASSAN - 573 212



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

57. SRI RON VASUDEV
AGED ABOUT 53 YEARS,
NOW WORKING AS
ADDL. REGISTRAR GENERAL,
HIGH COURT OF KARNATAKA,
BENCH AT DHARWAD,
DHARWAD - 580 011

58. SRI M JAGADEESWARA
AGED ABOUT 54 YEARS,
NOW WORKING AS PRL. JUDGE,
FAMILY COURT,
RAICHUR - 584 101

59. SRI. B. VENKATESHA,
RETIRED DISTRICT JUDGE,
AGED ABOUT 60 YEARS,
R/AT MIG-7, SRI. BHAIRAVESHWARA NILAYA,
10TH CROSS, NEAR OXFORD SCHOOL,
KHB 2ND STAGE,
(KUVEMPU NAGARA) 2ND STAGE,
BEERANAHALLI TANK BED,
HASSAN - 573 211.

60. SRI. KUDAVAKKALIGAR MAHADEVAPPA GANGAPPA,
AGED ABOUT 55 YEARS,
NOW WORKING AS
I ADDL. DISTRICT AND SESSIONS JUDGE,
BELAGAVI - 590 001.

61. SRI. KIRAN SIDDAPPA GANGANAVAR,
AGED ABOUT 52 YEARS,
NOW WORKING AS
ADDL. DISTRICT AND SESSIONS JUDGE,
FTSC-I, HASSAN - 573 212.



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

62. SRI. HOSAMANI PUNDALIK,
AGED ABOUT 56 YEARS,
NOW WORKING AS
I ADDL. DISTRICT AND SESSIONS JUDGE,
BENGALURU RURAL DISTRICT,
BENGALURU CITY,
CITY CIVIL COURT COMPLEX,
K.G.ROAD, BENGALURU - 560 009.
63. SRI. SADANANDA M. DODDAMANI,
AGED ABOUT 57 YEARS,
NOW WORKING AS
LIII ADDITIONAL CITY CIVIL AND
SESSIONS JUDGE,
CITY CIVIL COURT COMPLEX,
K.G.ROAD, BENGALURU - 560 009.
64. SMT. HEMAVATHI,
AGED ABOUT 53 YEARS,
NOW WORKING AS PRL. JUDGE,
FAMILY COURT, KALABURAGI - 585 102.
65. SRI MAHAVARKAR D GULZARLAL
AGED ABOUT 54 YEARS,
NOW WORKING AS
I ADDL. DISTRICT AND SESSIONS JUDGE,
RAMANAGARA - 562 159
66. SRI N BIRADAR DEVENDRAPPA
AGED ABOUT 54 YEARS
NOW WORKING AS
V ADDL. DISTRICT AND SESSIONS JUDGE,
BENGALURU RURAL DISTRICT,
(TO SIT AT DEVANAHALLI),
DEVANAHALLI - 562 110



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

67. SRI A VIJAYAN
SINCE DECEASED,
NO.14, BEHIND SAINT ANDREW ECI CHURCH,
VIRINCHIPURAM POST,
SEDUVALAI,
VELLORE DISTRICT,
TAMIL NADU - 632 104

68. SRI KASANAPPA NAIK
AGED ABOUT 57 YEARS,
NOW WORKING AS
SECRETARY TO THE HON' BLE CHIEF JUSTICE,
HIGH COURT OF KARNATAKA,
DR AMBEDKAR VEEDHI,
BENGALURU - 560 001

69. SRI PATIL NAGALINGANAGOUDA
AGED ABOUT 60 YEARS,
RETIRED DISTRICT JUDGE,
RESIDING AT NO.4,
JAYA NILAYA, 19TH CROSS,
BHUVANESHWARI NAGARA,
DASARAHALLI MAIN ROAD, H A RARM,
HEBBALA, KEMPAPURA,
BENGALURU - 560 024

70. SRI S GOPALAPPA
AGED ABOUT 55 YEARS,
NOW WORKING AS
ADDITIONAL REGISTRAR (ENQUIRIES),
KARNATAKA LOKAYUKTHA,
M S BUILDING,
DR AMBEDKAR VEEDHI,
BENGALURU - 560 001



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

71. SMT. VELA DAMODAR KHODAY
AGED ABOUT 62 YEARS,
NOW WORKING AS PRINCIPAL JUDGE,
FAMILY COURT, MYSURU - 570 014.
72. SRI. G.L. LAKSHMINARAYANA
AGED ABOUT 54 YEARS,
NOW WORKING AS
I ADDL. DISTRICT AND SESSIONS JUDGE,
HAVERI - 581 110.
73. SMT. G. PRABHAVATHI
AGED ABOUT 54 YEARS,
NOW WORKING AS
V ADDL. DISTRICT AND SESSIONS JUDGE,
SHIVAMOGGA (TO SIT AT SAGAR),
SAGAR - 577 401
74. SMT. NAGAVENI
AGED ABOUT 54 YEARS,
NOW WORKING AS
II ADDL. DISTRICT AND SESSIONS JUDGE
CHIKKABALLAPURA.
(TO SIT AT CHINTAMANI),
CHINTAMANI-563 125

... RESPONDENTS

(BY SRI. M.S. BHAGWAT, SENIOR ADVOCATE FOR
SMT. SNEHA M BHAGWAT, ADVOCATE FOR R1 TO R3;
SRI. GAURAV AGARWAL, SENIOR ADVOCATE FOR
SMT. URMILA PULLAT, ADVOCATE FOR R4;
SRI REUBEN JACOB, AAG A/W
SMT. MAMATHA SHETTY, AGA FOR R5 & R6;
SRI P.S. RAJA GOPAL, SENIOR ADVOCATE FOR
SRI. M.A. APPAIAH, ADVOCATE FOR R21 TO R44 TO R46,
R48, R51 TO R54, R58, R61 TO R62,



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

R64, R65, R68, R70, R73 AND R74;
SRI P.S. RAJA GOPAL, SENIOR ADVOCATE FOR
SRI YASHU MISHRA, ADVOCATE FOR R55;
SRI. ADITHYA SONDHI, SENIOR ADVOCATE FOR
SRI. PARASHURAM A.L., ADVOCATE FOR R8, R11,
R13, R14, R23 & R31;
SRI. N.B.N. SWAMY, ADVOCATE FOR R71;
R7, R9, R10, R12, R15 TO R42, R44 TO R48, R50 TO R54,
R57 TO R65, R68 TO R70, R73 AND R74 ARE SERVED;
R67 - APPEAL SHALL NOT SURVIVE)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT, PRAYING TO SET ASIDE THE ORDER
DATED 19.07.2023 PASSED BY THE LEARNED SINGLE JUDGE
IN W.P. No. 4046/2020 (S-RES) AND CONSEQUENTLY
DISMISS THE WRIT PETITION, IN THE INTEREST OF
JUSTICE.

IN W.A. NO. 1162/2023

BETWEEN:

1. SRI SHANTAVEER SHIVAPPA
S/O SRI SHIVAPPA
AGED ABOUT 57 YEARS
PRINCIPAL DISTRICT AND SESSIONS JUDGE
UDUPI DISTRICT, UDUPI - 574 118.
EMAIL: s.shantaveer@gmail.com
MOB: 9448391372
2. SRI. MANJUNATHA NAYAK
S/O SRI NARASIMHA NAYAK,
AGED ABOUT 55 YEARS
PRINCIPAL DISTRICT AND SESSIONS JUDGE,
SHIVAMOGGA DISTRICT, SHIVAMOGGA



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

EMAIL- judgemanjunathnayak@gmail.com
MOB: 9741831772

3. SRI RAVINDRA HEGDE
S/O SRI SHANTHARAM HEGDE
AGED ABOUT 55 YEARS
PRINCIPAL JUDGE
FAMILY COURT, NYAYA DEGULA
H SIDDAIAH ROAD, BENGALURU
E MAIL: ravindrhegde@gmail.com
MOB: 9449686728
4. SMT SARASWATHI VISHNU KOSANDAR
AGED ABOUT 53 YEARS
W/O DR MADIVALAPPA MATOLLI
REGISTRAR (VIGILANCE)
HIGH COURT OF KARNATAKA
DR.AMBEDKAR VEEDHI
BENGALURU - 560 001
EMAIL: saraswaticosandar14@gmail.com
MOB: 9481631837
5. SRI MOHAMMED KHAN M PATHAN
AGED ABOUT 59 YEARS
S/O SRI MOHAMMAD KHAN PATHAN
PRESIDING OFFICER
WAKF TRIBUNAL, BANGALORE
EMAIL: muhammedkhan114@gmail.com
MOB: 9663921397
6. SRI NARAHARI PRABHAKAR MARATHE
AGED ABOUT 58 YEARS
S/O SRI PRABHAKAR MARATHE
DISTRICT JUDGE, ODD LEAVE RESERVE
HIGH COURT OF KARNATAKA, BANGALORE



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

EMAIL: marathenarahari@gmail.com
MOB: 9008280327

7. SRI .B. JAYANTHA KUMAR
AGED ABOUT 56 YEARS
S/O SRI B RAMANATH BANGERA,
PRINCIPAL DISTRICT SESSIONS JUDGE
YADGIR DISTRICT, YADGIR - 585 202
EMAIL: bjkumarjudge@gmail.com
MOB: 9449540600
8. SMT S NAGASHREE
AGED ABOUT 57 YEARS
W/O SRI K.N. NAGARAJAN
PRINCIPAL DISTRICT AND SESSIONS JUDGE
KALABURAGI
EMAIL: nagashreesairam@gmail.com
MOB: 9741762459
9. SRI .C. CHANDRASHEKHAR
AGED ABOUT 56 YEARS
S/O LATE SRI H.V. CHANNAPPA
PRINCIPAL DISTRICT AND SESSIONS JUDGE
KOPPAL DISTRICT, KOPPAL
EMAIL: vishwamanava12@gmail.com
MOB: 9480180801
10. SRI CHANDRASHEKHAR MARGOOR
AGED ABOUT 59 YEARS
S/O SRI VIRUPAXAPPA
ADDITIONAL REGISTRAR
KARNATAKA LOKAYUKTA
M S BUILDING, DR AMBEDKAR VEEDHI
BANGALORE - 560 001



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

EMAIL: margoorc@gmail.com
MOB: 9886993052

11. SRI .G.A MANJUNATHA
AGED ABOUT 54 YEARS
S/O SRI ANJANEYULU
I ADDL DISTRICT AND SESSIONS JUDGE
BIDAR, BIDAR DISTRICT
EMAIL: manjunathaga@gmail.com
MOB: 9448909898
12. SMT.H.R. RADHA
AGED ABOUT 52 YEARS
W/O SRI M.A. APPAIAH
LXXXIV ADDL DISTRICT AND SESSIONS JUDGE
COMMERCIAL COURT, BSNL BUILDING,
RAJ BHAVAN ROAD, BENGALURU- 560 001
EMAIL: mail2radhahr@gmail.com
MOB: 9449987145
13. SRI K. C SADANANDASWAMY @
SADANANDASWAMY KABBINAKANTHIMATH
AGED ABOUT 59 YEARS
S/O LATE SRI CHANDRASHEKHARAYYA
ADDL DISTRICT AND SESSIONS JUDGE
HASSAN
EMAIL: ssdanandaswamykc@gmail.com
MOB: 9448536405
14. SRI . RON VASUDEV
AGED ABOUT 54 YEARS
S/O SRI GURUNATH,
DISTRICT JUDGE
OOD, ADDITIONAL REGISTRAR GENERAL
HIGH COURT OF KARNATAKA
DHARWAD BENCH, DHARWAD



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

EMAIL: ronvasudev@gmail.com
MOB: 8095321047

15. SRI M JAGADEESWARA
AGED ABOUT 56 YEARS
S/O SRI A. MALLAPPA,
PRINCIPAL JUDGE, FAMILY COURT
RAICHUR DISTRICT, RAICHUR
MOB: 7760463700

16. SRI KIRAN SIDDAPPA GANGANAVAR
AGED ABOUT 53 YEARS
S/O SRI S G GANGANAVAR
ADDL DISTRICT AND SESSIONS JUDGE, HASSAN
EMAIL: kirangangannavar@gmail.com
MOB: 944874082

17. SRI. HOSMANI PUNDALIK
AGED ABOUT 57 YEARS
S/O SRI SHANKARAPPA,
I ADDL DISTRICT AND SESSIONS JUDGE
BENGALURU RURAL DISTRICT, BENGALURU
EMAIL: hosamanipundalika@gmail.com
MOB: 9482315258

18. SMT HEMAVATHI
AGED ABOUT 53 YEARS
W/O SRI K R CHANDRASHEKHAR
PRINCIPAL JUDGE
FAMILY COURT, KALABURAGI
EMAIL: hemavathi69@gmail.com
MOB: 9448544277

19. SRI MAHAVARKAR D GULZARLAL
AGED ABOUT 55 YEARS



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

S/O SRI DATTURAO
I ADDL DISTRICT AND SESSIONS JUDGE
DISTRICT COURT COMPLEX, RAMANAGARA
EMAIL: gmahavarkarjud@gmail.com
MOB: 9448033371

20. SRI. N. BIRADAR DEVINDRAPPA,
AGED ABOUT 55 YEARS,
S/O SRI. NEELKANTAPPA,
V ADDL. DISTRICT AND SESSIONS JUDGE,
BENGALURU RURAL DISTRICT,
SITTING AT DEVANAHALLI
EMAIL: bdevindra@gmail.com
MOB: 91 7259034600

21. SRI. KASANAPPA NAIK
AGED ABOUT 58 YEARS,
S/O LATE SRI. TIPPANNA NAIK,
DISTRICT JUDGE OOD AND
SECRETARY TO HON'BLE CHIEF JUSTICE,
HIGH COURT OF KARNATAKA
BENGALURU - 560 001
EMAIL. kasanappanaik5@gmail.com
MOB. 91 9481904055

22. SRI. S. GOPALAPPA
AGED ABOUT 56 YEARS,
S/O SRI. C. SANJEEVAIAH,
ADDL. REGISTRAR,
KARNATAKA LOKAYUKTHA
M.S.BUILDING, BENGALURU
EMAIL.sgopalappas@gmail.com
MOB. 91 8277563949



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

23. SMT. G. PRABHAVATHI,
AGED ABOUT 55 YEARS,
W./O SRI. NAGARAJU N
V ADDL. DISTRICT AND SESSIONS JUDGE,
SHIVAMOGGA,
SITTING AT SAGAR
EMAIL. prabhan051@gmail.com
MOB. 91 63666704260

24. SMT. NAGAVENI,
AGED 55 YEARS,
W/O SRI. K SHIVA PRASAD,
II ADDL. DISTRICT AND SESSIONS JUDGE,
CHIKKABALLAPURA,
SITTING AT CHINTAMANI,
EMAIL. nagavenin132@gmail.com
MOB. 91 8861429393

... APPELLANTS

(BY SRI. P.S. RAJAGOPAL, SENIOR ADVOCATE FOR
SRI M A APPAIAH., ADVOCATE FOR A1 TO A11 AND
A13 TO A24 AND FOR
SRI YESHU MISHRA, ADVOCATE AND
SRI ANOOP HARANAHALLI, ADVOCATE FOR A12)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY PRINCIPAL SECRETARY,
DEPT. OF LAW, JUSTICE AND HUMAN RIGHTS ,
VIDHANA SOUDHA,
BANGALORE - 560 001
2. THE STATE OF KARNATAKA
REPRESENTED BY PRINCIPAL SECRETARY,



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

DEPT. OF LAW, JUSTICE AND HUMAN RIGHTS,
VIDHANA SOUDHA,
BENGALURU - 560 001

3. THE REGISTRAR GENERAL
HIGH COURT OF KARNATAKA,
DR AMBEDKAR VEEDHI,
BENGALURU - 560 001

4. SRI PAVANESH D
S/O LATE SRI SURESH D
AGED ABOUT 39 YEARS,
III ADDL DISTRICT AND SESSIONS JUDGE,
KOLAR (SITTING AT KGF),
KOLAR GOLD FIELDS - 563 115

5. SRI H J MARULASIDDARADHYA
S/O SRI JAYAMANGALARADHYA
AGED ABOUT 39 YEARS,
I ADDL DISTRICT AND SESSIONS JUDGE,
RAMANAGARAM - 562 159

6. SRI SUDINDRANATH S
S/O SRI SAINATH
AGED ABOUT 41 YEARS,
VII ADDL DISTRICT AND SESSIONS JUDGE,
TUMAKURU - 572 101

7. SRI SYED BALEEGUR RAHAMAN
S/O SRI SYED KALEEMULLA
AGED ABOUT 43 YEARS,
III ADDL DISTRICT AND SESSIONS JUDGE,
BENGALURU RURAL DISTRICT,
(SITTING AT ANEKAL)
ANEKAL - 562 106



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

8. SMT A K NAVEEN KUMARI
AGED ABOUT 62 YEARS
I ADDL DISTRICT AND SESSIONS JUDGE,
BAGALKOT (SITTING AT JAMKHANDI)
COURT COMPLEX,
JAMKHANDI - 587 301
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)

9. SRI C RAJASEKHARA
AGED ABOUT 60 YEARS
REGISTRAR (JUDICIAL)
HIGH COURT OF KARNATAKA,
DR AMBEDKAR VEEDHI,
BENGALURU - 560 001
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)

10. SRI K SUBRAMANYA
AGED ABOUT 60 YEARS,
LXVII ADDL CITY CIVIL AND SESSIONS JUDGE,
CITY CIVIL COURT COMPLEX, BENGALURU
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)

11. SRI K R NAGARAJA
AGED ABOUT 60 YEARS,
I ADDL DISTRICT AND SESSIONS JUDGE,
DISTRICT COURT COMPLEX, RAICHUR
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)

12. SMT RAJESHWARI N HEGDE
AGED ABOUT 56 YEARS,
PRINCIPAL DISTRICT AND SESSIONS JUDGE,



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

DAVANAGERE DISTRICT
DAVANAGERE

13. SRI MOHAMED MUJAHID ULLA
AGED ABOUT 62 YEARS,
V ADDITIONAL PRINCIPAL JUDGE,
FAMILY COURT, NYAYA DEGULA,
H SIDDAIAH ROAD, BENGALURU
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)
14. SMT. B.V. RENUKA
AGED ABOUT 57 YEARS,
PRINCIPAL JUDGE,
SMALL CAUSES COURT,
CITY CIVIL COURT COMPLEX,
BENGALURU.
15. SMT. B.S. REKHA
AGED ABOUT 54 YEARS,
PRINCIPAL DISTRICT AND SESSIONS JUDGE,
CHITRADURGA DISTRICT,
CHITRADURGA.
16. SRI. SHUBHAVEER B
AGED ABOUT 60 YEARS,
XLIII ADDL. CITY CIVIL AND SESSIONS JUDGE,
CITY CIVIL COURT COMPLEX,
BENGALURU.
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)
17. SMT. MEENAXI M. BANI
AGED ABOUT 60 YEARS,
XXIV ADDL. CITY CIVIL AND SESSIONS JUDGE,



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

CITY CIVIL COURT COMPLEX,
BENGALURU - 560 009.
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)

18. SRI. S. DESHPANDE GOVINDARAJ
AGED ABOUT 60 YEARS,
I ADDL. DISTRICT AND SESSIONS JUDGE,
COURT COMPLEX, TUMKUR
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)
19. SRI.H. CHANNEGOWDA
AGED ABOUT 61 YEARS,
XXXVII ADDL CITY CIVIL AND SESSIONS JUDGE,
CITY CIVIL COURT COMPLEX,
BENGALURU
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)
20. SRI. NINGAPPA PARASHURAM KOPARDE
AGED ABOUT 59 YEARS,
PRINCIPAL DISTRICT AND SESSIONS JUDGE,
RAMANAGARA DISTRICT,
RAMANAGARA
21. SRI. MADHUSUDHAN B
AGED ABOUT 61 YEARS,
VIII ADDL. DISTRICT, AND SESSIONS JUDGE,
MYSURU (SITTING AT HUNSUR)
COURT COMPLEX, HUNSUR - 571 105
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

22. SRI. RAVINDRA M JOSHI
AGED ABOUT 57 YEARS,
PRINCIPAL DIST. AND SESSIONS JUDGE,
DAKSHINA KANNADA DISTRICT,
MANGALORE - 575 003.
23. SMT. K.G. SHANTHI
AGED ABOUT 55 YEARS,
PRINCIPAL DISTRICT AND SESSIONS JUDGE,
DHARWAD DISTRICT, DHARWAD - 580 001.
24. SMT. SAVITRI VENKATARAMANA BHAT
AGED ABOUT 62 YEARS,
I ADDL. PRINCIPAL JUDGE, FAMILY COURT,
DAKSHINA KANNADA DISTRICT,
COURT COMPLEX,
MANGALURU - 575 003
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)
25. SRI. VIJAYAKUMAR MALKAJAPPA PAWALE
AGED ABOUT 62 YEARS,
I ADDL. DISTRICT AND SESSIONS JUDGE,
CITY CIVIL COURT COMPLEX,
BENGALURU - 560 009.
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)
26. SRI. KRISHNAJI BABURAO PATIL
AGED ABOUT 60 YEARS,
VI ADDITIONAL PRINCIPAL JUDGE,
FAMILY COURT, NYAYA DEGULA,
H. SIDDAIAH ROAD,
BENGALURU - 560 027.



(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)

27. SRI. SUNILDATT ANNAPPA CHIKKORDE
AGED ABOUT 62 YEARS,
PRESIDING OFFICER, LABOUR COURT,
BENGALURU - 560 022.
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)
28. SRI.JOSHI VENKATESH
AGED ABOUT 61 YEARS,
I ADDITIONAL DISTRICT AND SESSIONS JUDGE,
DISTRICT COURT COMPLEX,
VIJAYAPURA - 586 109
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)
29. SRI PATIL MOHAMMAD GHOUSE MOHIDDIN
AGED ABOUT 62 YEARS,
IV ADDL. DISTRICT AND SESSIONS JUDGE,
TUMAKURU (TO SIT AT MADHUGIRI)
COURT COMPLEX, MADHUGIRI - 572 132.
(RETIRED FROM SERVICE ON ATTAINING
SUPERANNUATION)
30. SRI. N.R. CHENNAKESHA
AGED ABOUT 62 YEARS,
ADDITIONAL DISTRICT AND SESSIONS JUDGE,
DISTRICT COURT COMPLEX, HASSAN
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)
31. SMT. USHARANI
AGED ABOUT 55 YEARS,



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

REGISTRAR,
KARNATAKA LOKAYUKTA,
M.S. BUILDING,
BENGALURU - 560 001

32. SRI. G. NANJUNDAIAH
AGED ABOUT 61 YEARS,
III. ADDL. DISTRICT AND SESSIONS JUDGE,
DISTRICT COURT COMPLEX,
BELAGAVI
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)
33. SRI MARUTI BAGADE
AGED ABOUT 56 YEARS,
PRINCIPAL DISTRICT AND SESSIONS JUDGE,
RAICHUR DISTRICT, RAICHUR
34. SRI. SHIVAJI ANANT NALAWADE
AGED ABOUT 58 YEARS,
PRINCIPAL DISTRICT AND SESSIONS JUDGE,
VIJAYAPURA DISTRICT, VIJAYAPURA
35. SRI. A.D. MAHANTHAPPA
AGED ABOUT 61 YEARS,
VII. ADDL. DISTRICT AND SESSIONS JUDGE,
DISTRICT COURT COMPLEX, BELAGAVI
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)
36. SRI SHUKLAKSHA PALAN
AGED ABOUT 59 YEARS,
PRINCIPAL DISTRICT AND SESSIONS JUDGE,
KOLAR DISTRICT, KOLAR



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

37. SRI H C SHAMPRASAD
AGED ABOUT 59 YEARS
PRINCIPAL DISTRICT AND SESSIONS JUDGE
KODAGU DISTRICT
MADIKERI

38. SRI G M SHEENAPPA
AGED ABOUT 62 YEARS
XXXIII ADDL CITY CIVIL AND SESSIONS JUDGE
CITY CIVIL COURT
BENGALURU-560 009
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)

39. SRI D T PUTTARANGASWAMY
AGED ABOUT 59 YEARS
JUDICIAL MEMBER
KAT
M S BUILDING
BENGALURU - 560 001.

40. SRI D S VIJAYA KUMAR
AGED ABOUT 58 YEARS
PRINCIPAL DISTRICT AND SESSIONS JUDGE
UTTARA KANNADA DISTRICT
KARWAR - 581 301.

41. SRI M BRUNGESHA
AGED ABOUT 56 YEARS
DIRECTOR, ARBITRATION CENTRE
KHANIJA BHAVANA
RACE COURSE ROAD
BENGALURU-560 001



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

42. SRI R BANNIKATTI HANUMANTHAPPA
AGED ABOUT 58 YEARS
JUDICIAL MEMBER, KAT
M S BUILDING
BENGALURU

43. SMT R SHARADA
AGED ABOUT 61 YEARS
LXIV ADDL CITY CIVIL AND SESSIONS JUDGE
CITY CIVIL COURT COMPLEX
BENGALURU
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)

44. SRI M CHANDRASEKHAR REDDY
AGED ABOUT 54 YEARS
REGISTRAR JUDICIAL
HIGH COURT OF KARNATAKA
DR AMBEDKAR VEEDHI
BENGALURU-560 001

45. SRI B VENKATESHA
AGED ABOUT 60 YEARS
LXIII ADDL CITY CIVIL AND SESSIONS JUDGE
CITY CIVIL COURT COMPLEX
BENGALURU - 560 009.
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)

46. SRI KUDAVAKKALIGAR MAHADEVAPPA GANGAPPA
AGED ABOUT 59 YEARS
1ST ADDL DISTRICT AND SESSIONS JUDGE
BELGAUM - 590 001.



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

47. SRI SADANANDA M DODDAMANI
AGED ABOUT 57 YEARS
XXV ADDL CITY CIVIL AND SESSIONS JUDGE
CITY CIVIL COURT COMPLEX
BENGALURU - 560 009.

48. SRI A VIJAYAN
AGED ABOUT 62 YEARS
IV ADDITIONAL PRINCIPAL JUDGE
DISTRICT COURT COMPLEX, MYSURU
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)

49. SRI PATIL K NAGALINGANAGOUDA
AGED ABOUT 60 YEARS
II ADDITIONAL PRINCIPAL JUDGE
FAMILY COURT
DISTRICT COURT COMPLEX
MYSURU-570 002
(RETIRED FROM SERVICE ON
ATTAINING SUPERANNUATION)

50. SMT VELA DAMODAR KHODAY
AGED ABOUT 52 YEARS
PRINCIPAL JUDGE
FAMIL COURT, MYSURU

51. SRI G LAKSHMINARAYANA
AGED ABOUT 57 YEARS
1ST ADDL DISTRICT AND SESSIONS JUDGE
HAVERI

... RESPONDENTS

(BY SRI. REUBEN JACOB, AAG A/W
SMT. MAMATHA SHETTY, AGA FOR R1 & R2;
SRI. S.S. NAGANAND, SENIOR ADVOCATE FOR



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

SMT. SUMANA NAGANAND, ADVOCATE FOR R3;
SRI. M.S. BHAGWAT, SENIOR ADVOCATE FOR
SMT. SNEHA M. BHAGWAT, ADVOCATE FOR R4 TO R6;
R8, R12 TO R14, R16, R19, R20, R22 TO R24, R26, R30,
R33, R38, R40 AND R42 - SERVICE OF NOTICE IS
DISPENSED WITH V.C.O. DATED 11.10.2023;
R10, R17, R21, R25, R39, R45 AND R49 - SERVICE OF
NOTICE IS DISPENSED WITH V.C.O DATED 21.08.2024;
SRI. K. SHASHIKANTH PRASAD, ADVOCATE FOR R31;
SRI. N.B.N. SWAMY, ADVOCATE FOR R50;
SRI. GAURAV AGARWAL, SENIOR ADVOCATE FOR
SMT. URMILA PULLAT, ADVOCATE FOR R7;
R9, R11, R15, R18, R27 TO R29, R32, R34 TO R37, R41,
R43, R44, R46 TO R48 AND R51 ARE SERVED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE
KARNATAKA HIGH COURT ACT, PRAYING TO a) SET ASIDE
THE ORDER DATED 19/07/2023 PASSED IN WP
NO.4046/2020 BY THE LEARNED SINGLE JUDGE AND
CONSEQUENTLY, DISMISS THE WRIT PETITION WITH
EXEMPLARY COST AND ETC.

IN W.A. NO. 1312/2023

BETWEEN:

1. SRI C RAJASEKHARA
SON OF LATE SRI SIDDALINGAPPA
AGED ABOUT 60 YEARS
WORKING AS REGISTRAR ENQUIRIES
KARNATAKA LOKAYUKTA
BENGALURU
2. SMT RAJESHWARI N HEGDE
WIFE OF SRI NAGARAJ
AGED ABOUT 57 YEARS,



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

WORKING AS
PRINCIPAL DISTRICT AND SESSIONS JUDGE
DAVANGERE

3. SMT B.V RENUKA
WIFE OF SRI NAGENDRA PRASAD
AGED ABOUT 57 YEARS
WORKING AS PRINCIPAL JUDGE
SMALL CAUSES COURT, BENGALURU
4. SMT B.S. REKHA
WIFE OF SRI SATISH
AGED ABOUT 54 YEARS
WORKING AS PRINCIPAL AND SESSIONS JUDGE
CHITRADURGA
5. SMT K G SHANTHI
WIFE OF SRI KURUVATTI
AGED ABOUT 55 YEARS
WORKING AS DISTRICT AND SESSIONS JUDGE
DHARWAD
6. SMT USHA RANI
AGED ABOUT 55 YEARS
WIFE OF SRI SHASHIKANTH PRASAD
WORKING AS REGISTRAR
KARNATAKA LOKAYUKTA
BENGALURU
7. SRI MARUTI BAGADE
SON OF SRI SHIVAJI BAGADE
AGED ABOUT 55 YEARS
WORKING AS
PRINCIPAL DISTRICT AND SESSIONS JUDGE
RAICHUR



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

8. SRI M BRUNGESH
SON OF LATE SRI R. MAHADEVAPPA
AGED ABOUT 55 YEARS
WORKING AS DIRECTOR
ARBITRATION CENTER
KARNATAKA (DOMESTIC AND INTERNATIONAL)
BENGALURU

... APPELLANTS

(BY SRI. ADITY SONDHI, SENIOR ADVOCATE FOR
SRI PARASHURAM A L., ADVOCATE)

AND:

1. STATE OF KARNATAKA
DEPARTMENT OF LAW JUSTICE AND HUMAN RIGHTS,
VIDHANA SOUDHA
BENGALURU - 560 001
REPRESENTED BY ITS
PRINCIPAL SECRETARY
2. STATE OF KARNATAKA
DEPARTMENT OF PERSONNEL AND
ADMINISTRATIVE AFFAIRS,
VIDHANA SOUDHA
BENGALURU - 560 001
REP. BY ITS ADDITIONAL CHIEF SECRETARY
3. THE REGISTRAR GENERAL
HON'BLE HIGH COURT OF KARNATAKA
DR AMBEDKAR VEEDHI
BENGALURU - 560 001
4. SRI PAVENESH D
SON OF LATE SRI SURESH D
AGED ABOUT 39 YEARS



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

WORKING AS
III ADDITIONAL DISTRICT AND SESSIONS JUDGE
KOLAR (TO SIT AT KGF)
KOLAR GOLD FIELDS - 563 115

5. SRI H J MARULASIDDARADHYA
SON OF SRI JAYAMANGALARADHYA
AGED ABOUT 39 YEARS
WORKING AS
I ADDITIONAL DISTRICT AND SESSIONS JUDGE
RAMANAGARAM - 562 159

6. SRI SUDINDRANATH S
SON OF SRI SAINATH
AGED ABOUT 41 YEARS
WORKING AS
VII ADDITIONAL DISTRICT AND SESSIONS JUDGE,
TUMKUR - 572 101

7. SRI SYED BALEEGUR RAHAMAN
SON OF SRI SYED KALEMULLA
AGED ABOUT 43 YEARS
WORKING AS
III ADDITIONAL DISTRICT AND SESSIONS JUDGE,
BENGALURU RURAL
(TO SIT AT ANEKAL - 562 106)

8. SRI MANJAPPA HANAMANTAPPA ANNAYYANAVAR
AGED ABOUT 53 YEARS
WORKING AS
III ADDITIONAL DISTRICT AND SESSIONS JUDGE,
BELAGAVI DISTRICT COURT COMPLEX,
BELAGAVI - 590 001



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

9. SMT VINEETHA PREMNATH SHETTY
AGED ABOUT 56 YEARS
WORKING AS PRESIDING OFFICER
LABOUR COURT
CHIKKAMAGALURU - 577 101

10. SRI M DEVARAJA BHAT
AGED ABOUT 56 YEARS
WORKING AS MEMBER
KARNATAKA APPELLATE TRIBUNAL
M S BUILDING,
DR AMBEDKAR VEEDHI
BENGALURU - 560 001

11. SRI JERALD RUDOLPH MENDONCA
AGE ABOUT 45 YEARS
WORKING AS
II ADDITIONAL DISTRICT AND SESSIONS JUDGE,
MYSURU DISTRICT COURT COMPLEX
MYSURU - 570 005.

12. SRI K M RAJASHEKHAR
AGED ABOUT 52 YEARS
WORKING AS
III ADDITIONAL DISTRICT AND SESSIONS JUDGE,
BALLARI TO SIT AT HOSAPETE COURT COMPLEX,
HOSAPETE - 583 201

13. SRI K .L ASHOK
AGED ABOUT 49 YEARS
WORKING AS
I ADDITIONAL DISTRICT AND SESSIONS JUDGE,
COURT COMPLEX,
CHIKKAMAGALUR - 577 101



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

14. SRI BASAPPA BALAPPA JAKATI
AGED ABOUT 49 YEARS
WORKING AS
LIX ADDITIONAL DISTRICT AND SESSIONS JUDGE,
CITY CIVIL COMPLEX
BENGALURU - 560 009

15. SRI SIDDALINGA PRABHU
AGED ABOUT 53 YEARS
WORKING AS
III ADDITIONAL DISTRICT AND SESSIONS JUDGE
RAMANAGARA COURT COMPLEX,
RAMANAGARA - 562 159

16. SRI N KRISHNAIAH
AGED ABOUT 55 YEARS
WORKING AS
VI ADDITIONAL DISTRICT AND SESSIONS JUDGE
TUMKUR COURT COMPLEX
TUMKURU - 572 101

17. SMT A.K. NAVEEN KUMARI
AGED ABOUT 59 YEARS
WORKING AS
I ADDITIONAL DISTRICT AND SESSIONS JUDGE,
BAGALKOT (TO SIT AT JAMKHANDI)
COURT COMPLEX,
JAMKHANDI- 587 301

18. SRI K SUBRAMANYA
AGED ABOUT 57 YEARS
WORKING AS
LXVII CITY AND SESSIONS JUDGE
CITY CIVIL COMPLEX
BENGALURU - 560 009



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

19. SRI K R NAGARAJA
AGED ABOUT 56 YEARS
WORKING AS
I ADDITIONAL DISTRICT AND SESSIONS JUDGE,
DISTRICT COURT COMPLEX
RAICHUR - 574 101

20. SRI MOHAMED MUJAHID ULLA
AGED ABOUT 59 YEARS
WORKING AS V ADDITIONAL PRINCIPAL JUDGE
FAMILY COURT, NYAYA DEGULA
H SIDDAIAH ROAD,
BENGALURU - 560 027

21. SMT. MAHESHWARI S HIREMATH
AGED ABOUT 55 YEARS,
WORKING AS
XXII ADDITIONAL CITY CIVIL AND
SESSIONS JUDGE,
CITY CIVIL COURT COMPLEX
BENGALURU-560 009.

22. SRI. SHUBHAVEER B
AGED ABOUT 57 YEARS,
WORKING AS XLIII ADDITIONAL CITY CIVIL AND
SESSIONS JUDGE,
CITY CIVIL COURT COMPLEX
BENGALURU-560 009.

23. SMT. MEENAXI M BANI
AGED ABOUT 57 YEARS,
WORKING AS XXIV ADDITIONAL CITY CIVIL AND
SESSIONS JUDGE,
CITY CIVIL COURT COMPLEX
BENGALURU-560 009.



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

24. SRI.S. DESHPANDE GOVINDARAJ
AGED ABOUT 57 YEARS,
WORKING AS I ADDITIONAL DISTRICT AND
SESSIONS JUDGE
TUMKUR COURT COMPLEX,
TUMKUR-572 101.

25. SRI.H CHANNEGOWDA
AGED ABOUT 58 YEARS,
WORKING AS XXXVII ADDITIONAL CITY CIVIL AND
SESSIONS JUDGE,
CITY CIVIL COURT COMPLEX
BENGALURU-560 009.

26. SRI.NINGAPPA PARASHURAM KOPARDE
AGED ABOUT 56 YEARS,
WORKING AS IV ADDITIONAL DISTRICT AND
SESSIONS JUDGE
KALABURAGI (TO SIT AT SEDAM)
COURT COMPLEX, SEDAM-585 222.

27. SRI.MADHUSUDHAN B
AGED ABOUT 57 YEARS,
WORKING AS VIII ADDITIONAL DISTRICT AND
SESSIONS JUDGE
MYSURU (TO SIT AT HUNSUR)
HUNSUR COURT COMPLEX
HUNSUR-571 105.

28. SRI.SHANTAVEER SHIVAPPA
AGED ABOUT 53 YEARS,
WORKING AS
I ADDITIONAL DISTRICT AND SESSIONS JUDGE
UTTARA KANNADA KARWAR



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

(TO SIT AT SIRSI) COURT COMPLEX
SIRSI-581 401

29. SRI. RAVINDRA M JOSHI
AGED 53 TYEARS
WORKING AS XL ADDITIONAL CITY CIVIL AND
SESSIONS JUDGE
CITY CIVIL COURT COMPLEX
BENGALURU - 560 009.
30. SMT. SAVITRI
VENKATARAMANA BHAT
AGED 58 YEARS,
WORKING AS I ADDITIONAL PRINCIPAL JUDGE,
FAMILY COURT, DAKSHINA KANNADA,
MANGALURU
DISTRICT COURT COMPLEX
MANGALURU - 575 003.
31. SRI VIJAYAKUMAR MALKAJAPPA PAWALE
AGED ABOUT 58 YEARS,
WORKING AS
I ADDITIONAL DISTRICT AND SESSIONS JUDGE
CITY CIVIL COURT COMPLEX
BENGALURU - 560 009
32. SRI KRISHNAJI BABURAO PATIL
AGED 56 YEARS
WORKING AS VI ADDITIONAL PRINCIPAL JUDGE
FAMILY COURT, NYAYA DEGULA
H. SIDDAIAH ROAD
BENGALURU - 560 027
33. SRI SUNILDATT ANNAPPA CHIKKORDE
AGED ABOUT 58 YEARS



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

WORKING AS PRESIDING OFFICER
LABOUR COURT
BENGALURU - 560 022.

34. SRI JOSHI VENKATESH
WORKING AS
I ADDITIONAL DISTRICT AND SESSIONS JUDGE,
VIJAYAPURA DISTRICT
COURT COMPLEX
VIJAYAPURA - 586 109
35. SRI PATIL MOHAMMADGHOUSE MOHIDDIN
AGED ABOUT 59 YEARS
WORKING AS
IV ADDITIONAL DISTRICT AND SESSIONS JUDGE
TUMAKURU (TO SIT AT MADHUGIRI)
COURT COMPLEX
MADHUGIRI - 572 175
36. SRI. N R CHENNAKESHAHA
AGED ABOUT 59 YEARS,
WORKING AS
ADDITIONAL DISTRICT AND SESSIONS JUDGE,
HASSAN DISTRICT COURT COMPLEX,
HASSAN - 573 201
37. SRI. G NANJUNDAIAH
AGED ABOUT 56 YEARS.
WORKING AS
III ADDITIONAL DISTRICT SESSIONS JUDGE,
BELAGAVI DISTRICT COURT COMPLEX,
BELAGAVI - 590 001
38. SRI. SHIVAJI ANANT NALAWADE
AGED ABOUT 54 YEARS,



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

WORKING AS PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL, HUBBALLI
HUBBALLI - 580 001

39. SRI. SADANANDA MALLESHAPPA KALAL
AGED ABOUT 59 YEARS,
WORKING AS PRESIDING OFFICER
LABOUR COURT, HUBBALLI,
HUBBALLI - 580 001
40. SRI. A D MAHANTHAPPA
AGED ABOUT 57 YEARS,
WORKING AS
VII ADDITIONAL DISTRICT AND SESSIONS JUDGE,
BELAGAVI DISTRICT COURT COMPLEX
BELAGAVI - 590 001
41. SRI. SHULAKSHA PALAN
AGED ABOUT 56 YEARS,
WORKING AS
I ADDITIONAL DISTRICT SESSIONS JUDGE,
KALABURGI DISTRICT COURT COMPLEX
KALABURGI - 585 103
42. SRI. H C SHAMPRASAD
AGED ABOUT 55 YEARS,
WORKING AS
III ADDITIONAL DISTRICT AND SESSIONS JUDGE,
DHARWAD DISTRICT COURT COMPLEX
NEAR KALABHAVAN JUBLI CIRCLE,
DHARWAD - 580 008
43. SRI. G M SHEENAPPA
AGED ABOUT 58 YEARS,
WORKING AS



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

XXXIII ADDITIONAL CITY CIVIL AND
SESSIONS JUDGE
CITY CIVIL COURT COMPLEX
BENGALURU - 560 009

44. SRI. D T PUTTARANGASWAMY
AGED ABOUT 55 YEARS,
WORKING AS I ADDITIONAL PRINCIPAL JUDGE
FAMILY COURT,
TUMAKURU COURT COMPLEX
TUMKUR - 572 101

45. SRI. D S VIJAYA KUMAR
AGED ABOUT 54 YEARS,
WORKING AS
XXVI ADDITIONAL CITY CIVIL AND
SESSIONS JUDGE, CITY CIVIL COURT COMPLEX,
BENGALURU - 560 009

46. SRI. R BANNIKATTI HANUMANTHAPPA
AGED ABOUT 54 YEARS,
WORKING AS II ADDITIONAL DISTRICT AND
SESSIONS JUDGE, CHITRADURGA DISTRICT
COURT COMPLEX, CHITRADURGA - 577 501

47. SRI. MANJUNATHA NAYAK
AGED ABOUT 51 YEARS,
WORKING AS REGISTRAR (RECRUITMENT)
HIGH COURT OF KARNATAKA, DR. AMBEDKAR VEEDHI,
BENGALURU - 560 001

48. SRI. RAVINDRA HEGDE
AGED ABOUT 51 YEARS,
WORKING AS V ADDITIONAL DISTRICT AND
SESSIONS JUDGE,



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

HASSAN DISTRICT COURT COMPLEX,
HASSAN - 573 201

49. SMT. SARASWATHI VISHNU KOSANDAR
AGED ABOUT 49 YEARS,
WORKING AS VII ADDITIONAL DISTRICT AND
SESSIONS JUDGE, MYSURU DISTRICT COMPLEX,
MYSURU - 570 005

50. SRI MOHAMMED KHAN M PATHAN
AGED ABOUT 49 YEARS
WORKING AS VII ADDITIONAL DISTRICT AND
SESSIONS JUDGE, MYSURU DISTRICT
COURT COMPLEX, MYSURU - 570 005

51. SMT R SHARADA
AGED ABOUT 58 YEARS
WORKING AS LXIV ADDITIONAL CITY CIVIL AND
SESSIONS JUDGE, CITY CIVIL COURT COMPLEX
BENGALURU - 560 009

52. SRI NARAHAHARI PRABHAKAR MARATHE
AGED ABOUT 54 YEARS
WORKING AS ADDITIONAL DISTRICT AND
SESSIONS JUDGE, UDUPI (SITTING AT KUNDAPUR)
DISTRICT COURT COMPLEX
KUNDAPUR - 576 001

53. SRI B JAYANTHA KUMAR
AGED ABOUT 52 YEARS
WORKING AS III ADDITIONAL DISTRICT AND
SESSIONS JUDGE, SHIVAMOGGA DISTRICT
COURT COMPLEX, SHIVAMOGGA- 577 201



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

54. SRI M CHANDRASHEKHAR REDDY
AGED ABOUT 50 YEARS
WORKING AS REGISTRAR (INFRASTRUCTURE AND
MAINTENANCE), HIGH COURT OF KARNATAKA
DR AMBEDKAR VEEDHI
BENGALURU - 560 001

55. SMT S NAGASHREE
AGED ABOUT 53 YEARS
WORKING AS III ADDITIONAL DISTRICT AND
SESSIONS JUDGE, DAVANGERE DISTRICT
COURT COMPLEX, DAVANAGERE - 577 006

56. SRI C CHANDRASHEKHAR
AGED ABOUT 52 YEARS
WORKING AS
IV ADDITIONAL DISTRICT AND SESSIONS JUDGE
DODDABALLAPURA DISTRICT COURT COMPLEX
DODDABALLAPURA - 561 203

57. SRI CHANDRASHEKHAR MAGROOR
AGED ABOUT 55 YEARS
WORKING AS III ADDITIONAL DISTRICT
SESSIONS JUDGE, HASSAN DISTRICT
COURT COMPLEX, HASSAN - 573 201

58. SRI G A MANJUNATHA
AGED ABOUT 50 YEARS,
WORKING AS
XXV ADDITIONAL CITY CIVIL AND SESSIONS JUDGE,
CITY CIVIL COURT COMPLEX,
BENGALURU-560 009

59. SMT H R RADHA
AGED ABOUT 51 YEARS,



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

WORKING AS PRESIDING OFFICER,
LABOUR COURT,
KALABURGI DISTRICT COURT COMPLEX,
KALABURGI-585 103

60. SRI K C SADANANDSWAMY @
SADANANDASWAMY KABBINAKANTHIMATH
AGED ABOUT 55 YEARS,
WORKING AS
I ADDITIONAL DISTRICT AND SESSIONS JUDGE,
HAVERI DISTRICT COURT COMPLEX,
HAVERI-581 110
61. SRI RON YASUDEV
AGED ABOUT 50 YEARS,
WORKING AS LXXVI ADDITIONAL CITY CIVIL AND
SESSIONS JUDGE, CITY CIVIL COURT COMPLEX,
BENGALURU-560 009
62. SRI M JAGADEESWARA
AGED ABOUT 51 YEARS,
WORKING AS LXXXII ADDITIONAL CITY CIVIL AND
SESSIONS JUDGE, CITY CIVIL COURT COMPLEX,
BENGALURU-560 009
63. SRI B VENKATESHA
AGED ABOUT 56 YEARS,
WORKING AS LXIII ADDITIONAL CITY CIVIL AND
SESSIONS JUDGE, CITY CIVIL COURT COMPLEX,
BENGALURU-560 009
64. SRI KUDAVAKKALIGAR MAHADEVAPPA GANGAPPA
AGED ABOUT 55 YEARS,
WORKING AS II ADDITIONAL DISTRICT AND
SESSIONS JUDGE,



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

SHIVAMOGGA DISTRICT COURT COMPLEX,
SHIVAMOGGA-577 201

65. SRI HOSAMANI PUNDALIK
AGED ABOUT 53 YEARS,
WORKING AS ADDITIONAL DISTRICT AND
SESSIONS JUDGE, MYSURU DISTRICT
COURT COMPLEX, MYSURU-570 002

66. SRI HOSAMANI PUNDALIK
AGED ABOUT 53 YEARS,
WORKING AS ADDITIONAL DISTRICT AND
SESSIONS JUDGE, MYSURU DISTRICT
COURT COMPLEX, MYSURU-570 002

67. SRI SADANANDA M DODDAMANI
AGED ABOUT 54 YEARS,
WORKING AS XXV ADDITIONAL CITY CIVIL AND
SESSIONS JUDGE, CITY CIVIL COURT COMPLEX,
BENGALURU-560 009

68. SMT HEMAVATHI
AGED ABOUT 51 YEARS,
WORKING AS IV ADDITIONAL DISTRICT AND
SESSIONS JUDGE,
BHADRAVATHI DISTRICT COURT COMPLEX,
BHADRAVATHI-577 302

69. SRI MAHAVARKAR D GULZARLAL,
AGED ABOUT 51 YEARS,
WORKING AS II ADDITIONAL DISTRICT AND
SESSIONS JUDGE, VIJAYAPURA DISTRICT
COURT COMPLEX,VIJAYAPURA-586 109



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

70. SRI N BIRADAR DEVENDRAPPA
AGED ABOUT 51 YEARS,
WORKING AS I ADDITIONAL DISTRICT AND
SESSIONS JUDGE, DHARWAD(SITTING AT HUBBALLI),
HUBBALLI DISTRICT COURT COMPLEX,
HUBBALLI-580 008

71. SRI A VIJAYAN
AGED ABOUT 58 YEARS,
WORKING AS IV ADDITIONAL PRINCIPAL JUDGE,
MYSURU DISTRICT COURT COMPLEX,
MYSURU-570 002

72. SRI KASANAPPA NAIK
AGED ABOUT 57 YEARS,
NOW WORKING AS XLI ADDITIONAL
CITY CIVIL AND SESSIONS JUDGE
CITY CIVIL COURT COMPLEX, BENGALURU - 560 001

73. SRI PATIL NAGALINGANAGOUDA
AGED ABOUT 57 YEARS,
WORKING AS II ADDITIONAL PRINCIPAL JUDGE
FAMILY COURT, MYSURU DISTRICT COURT COMPLEX
MYSURU - 570 002.

74. SRI S GOPALAPPA
AGED ABOUT 52 YEARS,
NOW WORKING AS
II ADDITIONAL DISTRICT AND SESSIONS JUDGE
KALABURAGI DISTRICT COURT COMPLEX
KALABURAGI - 585 103.

75. SMT. VELA DAMODAR KHODAY
AGED ABOUT 59 YEARS,
WORKING AS PRINCIPAL JUDGE,



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

FAMILY COURT,
BELAGAVI DISTRICT COURT COMPLEX
BELAGAVI - 590 001.

76. SRI. G.L. LAKSHMINARAYANA
AGED ABOUT 51 YEARS,
WORKING AS ADDL. SECRETARY TO THE
GOVERNMENT, LAW DEPARTMENT
VIDHANA SOUDHA, DR. AMBEDKAR VEEDHI
BENGALURU - 560 001.
77. SMT. G. PRABHAVATHI
AGED ABOUT 51 YEARS,
WORKING AS II ADDL. PRINCIPAL JUDGE
FAMILY COURT, NYAYA DEGULA, H. SIDDAIAH ROAD
BENGALURU - 560 027.
78. SMT. NAGAVENI
AGED ABOUT 51 YEARS,
WORKING AS PRINCIPAL JUDGE
FAMILY COURT, HASSAN DISTRICT COURT COMPLEX
HASSAN - 573 201.

... RESPONDENTS

(BY SRI. REUBEN JACOB, AAG A/W
SMT. MAMATHA SHETTY, AGA FOR R1 & R2;
SRI. S.S. NAGANAND, SENIOR ADVOCATE FOR
SMT. SUMANA NAGANAND, ADVOCATE FOR R3;
SRI. P.S. RAJAGOPAL, SENIOR ADVOCATE FOR
SRI M.A. APPAIAH, ADVOCATE FOR R28, R47 TO R50, R52,
R53, R55 TO R62, R64, R65, R66, R68 TO R70,
R77 AND R78;
SRI P.S. RAJAGOPAL, SENIOR ADVOCATE FOR
SRI YESHU MISHRA, ADVOCATE FOR R59,
SRI. M.S. BHAGWAT, SENIOR COUNSEL FOR
SMT. SNEHA M BHAGWAT, ADVOCATE FOR R4 TO R6;



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

SRI. GAURAV AGARWAL, SENIOR ADVOCATE FOR
SMT. URMILA PULLAT, ADVOCATE FOR R4 AND R7;
SRI N.B.N. SWAMY, ADVOCATE FOR R75;
R8 TO R14, R16 TO R18, R21 TO R23, R25,
R31, R32, R34, R35, R37, R40, R42, R46,
R54, R64, R67 AND R76 - ARE SERVED THROUGH
HAND SUMMONS
R20, R26, R36, R38, R41, R66, R73,
R77 AND R78 - ARE SERVED;
R15, R29, R33, R43, R45, R63 - SERVED THROUGH E-MAIL;
V/O DATED 20.06.2025, MEMO DATED 09.12.2024 FOR
DECEASED R39 AND R71 ARE TAKEN ON RECORD.)

THIS WRIT APPEAL IS FILED U/S 4 OF THE
KARNATAKA HIGH COURT ACT, PRAYING TO i) SET ASIDE
ORDER OF THE LEARNED SINGLE JUDGE DATED
19/07/2023 IN WRIT PETITION NO.4046/2020 AND
CONSEQUENTLY DISMISS WRIT PETITION NO.4046/2020
FILED BY RESPONDENT NOS.4-7/PETITIONERS AND ETC.

THESE WRIT APPEALS HAVING BEEN HEARD AND
RESERVED ON 18.03.2026 AND COMING ON FOR
PRONOUNCEMENT OF JUDGMENT, THIS DAY,
S. SUNIL DUTT YADAV J., DELIVERED THE FOLLOWING:

CORAM: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV
AND
HON'BLE SMT. JUSTICE LALITHA KANNEGANTI
AND
HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL



CAV JUDGMENT

(PER: HON'BLE MR. JUSTICE S SUNIL DUTT YADAV)

THIS JUDGMENT HAS BEEN DIVIDED INTO THE FOLLOWING SECTIONS TO FACILITATE ANALYSIS:

SL. NO.	PARTICULARS	PAGE NO.
I	BRIEF FACTS OF THE CASE	55
II	PROCEDURAL HISTORY	58
III	CURRENT DISPUTE	65
	A. GROUNDS RAISED IN THE WRIT PETITION	68
	B. STAND OF HIGH COURT	70
	C. PETITIONERS' REJOINDER	74
	D. ORDER OF THE LEARNED SINGLE JUDGE IN W.P. NO.4046/2020	77
IV	ANALYSIS	78
	A. ANALYSIS OF ORDER OF SINGLE JUDGE	78
	B. OPINION OF ANU SIVARAMAN J.	82
	C. OPINION OF RAJESH RAI K.J.	84
	D. CONSTITUTION OF FULL BENCH	90
	E. CADRE STRENGTH	95
	E1. NOTIFICATION AND QUANTIFICATION OF CADRE	95
	E2. JUSTICIABILITY OF JUDICIAL REVIEW	103
	E3. VACANCIES VIS-À-VIS CADRE STRENGTH	118
	E4. VIEWS ON THE OPINIONS OF ANU SIVARAMAN J., AND RAJESH RAI K. J., ON CADRE STRENGTH	122
	F. QUOTA RULE APPLICATION	131
F1. RECRUITMENT RULES	132	
V	CONCLUSION AND DIRECTIONS	139



I. BRIEF FACTS OF THE CASE:

The parties are referred to by their rank in the writ proceedings for the purpose of convenience.

2. The petitioners are Direct Recruit District Judges appointed on 01.02.2016 and have challenged the Final Seniority List of District Judges which is a consolidated Seniority List consisting of Direct Recruits Civil Judges who were promoted as District Judges, as well as those Civil Judges who have been promoted on the basis of Limited Departmental Competitive Examination [for brevity, "LDCE"]. The prayer in the writ petition is as follows:

- "a. Setting aside of the seniority of the District Judges at Annexure- A.
- b. Direction for preparation of fresh seniority list after assigning proper ranking by placing them above respondent Nos. 4 to 82.
- c. To set aside the seniority list of 16.03.2022 at Annexure-N insofar as the ranking assigned to the petitioners and respondent Nos.13 to 82



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

and direct a redo of the seniority list by placing the petitioners above respondent Nos.13 to 82."

3. A perusal of the Seniority List at Annexure-'A'

would indicate that the Seniority List is as follows:

Sl. Nos.	Promotees	Limited Departmental Competitive Exam	Direct Recruit District Judges
	38 to 98, 100, 102, 116, 118, 121, 123, 125, 126, 159 to 166, 172 to 366, 372 to 380, 389 to 392	99, 101, 103, 104, 105, 113 to 115, 117, 119, 120, 122 and 124, 127 to 158, 167 to 169	106 to 112, 170, 171, 367 to 371 , 381 to 388.

4. It is necessary to notice that this Seniority List at Annexure-'A' was re-done and eventually the present Seniority List is as is found at Annexure-'N' dated 16.03.2022. The placement of the petitioners *vis-à-vis* the respondents in the said Seniority List is as follows:-



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

SL. NO. in the Seniority List dated 16.03.2022 (Annexure-N)	Rank of Parties in W.P.No.4046/2020(S-RES) [P – Petitioner ; R- Respondent]
373	P1
374	P2
377	P3
380	P4
288	R13
291-303	R14-R26
304	R48
305-311	R27-R33
314-317	R34-37
318	R49
319-324	R38-R43
326-329	R44-R47
337-343	R50-R56
345-351	R57-R63
353-364	R64-R75
366-372	R76-R82
381-387	R4-R10
389-390	R11-R12

5. The following is the table indicating the source of entry under different categories/ quota:



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

Notification No.	Year Of Notification/ Alteration of Quota	Proportion of Different Feeder Source
LAW 130 LAC 82 dated 24.08.1983	1983	66 2/3% - promotion 33 1/3% - Direct Recruitment
LAW 26 LAC 2005 dated 09.09.2005	2005	50% - Promotion 25% - Promotion through LDCE 25% - Direct Recruitment
LAW 123 LAC 2011 dated 11.07.2011	2011	65% - Promotion 10% - Promotion through LDCE 25% - Direct Recruitment
I.A.No.230675/2025 in Writ Petition (Civil) No.1022/1989	2025	50% - Promotion 25% - Promotion through LDCE 25% - Direct Recruitment
LAW-LAC/126/2025 dated 12.03.2026	2026	50% - Promotion 25% - Promotion through LDCE 25% - Direct Recruitment

II. PROCEDURAL HISTORY:-

6. It is made out from the facts that the Seniority List published on 14.09.2012 relating to the cadre of District Judges contained *ad hoc* District Judges/Fast Track Court [“FTC”] Judges who were allegedly placed above the Direct Recruits of the year 2008. The said Seniority List was assailed in W.P.Nos.41684-41691/2012 and the Writ



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

Petition came to be allowed holding that the actual date of appointment of Direct Recruits of the year 2008 and the actual date of promotion given to the *ad hoc* District Judges had to be considered while fixing the *inter se* seniority.

7. The said order was taken up in W.A.No.6514/2013 and the writ appeal was allowed by an order authored by *Justice B.V.Nagarathna*, presently, Judge of the Supreme Court of India with the following directions:

"84. In the result, the writ appeals are allowed and the impugned judgment is set aside. The RG is directed to prepare a fresh seniority list of the direct recruits and promotees (sic) in conformity with the following directions:

- (i) As far as the direct recruits are concerned their seniority would be reckoned from the date they were appointed.*
- (ii) As far as promotees (sic) are concerned, their seniority would be reckoned from the date they were appointed to the substantive*



vacancies i.e. from the date vacancies arose under the quota mentioned in 1983 Rules and not from the date of the Notifications appointing them as FTC Judges, where the vacancies arose subsequent to their appointment. In case, where the vacancies occurred prior to their appointment as FTC Judges, seniority should be reckoned from the date they were appointed as FTC Judges.

- (iii) As far as those Judges who took examination by way of accelerated promotion is concerned, they are from two categories (a) ad hoc FTC Judges and (b) Civil Judge (Senior Division). The ad hoc FTC Judges have to be promoted as per their seniority, in those vacancies, which arose even prior to the examination for accelerated promotion held in the year 2009. Where there were no available vacancies prior to the examination held in the year 2009,*



the ad hoc FTC Judges would be considered for seniority from the date of Notification promoting them in 25% quota meant for accelerated promotion. As far as the Civil judges (Senior Division) judges, who took the examination for accelerated promotion is concerned, as the examination was conducted in 2009, their seniority would obviously be after the entry of the direct recruits on 25/02/2008, is reckoned. In other words, the direct recruits would be senior to the Civil Judges (Senior Division), who were promoted by way of accelerated promotion in the year 2009.

- (iv) *The said exercise to be carried out in an expeditious manner, preferably within a period of one month from today. All consequential benefits which accrue to the promotees(sic) shall be given to them in an expeditious manner.*



**NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023**

- (v) *The Notifications issued in the year 2009 shall be construed as regularization of their officiation in the vacancies in the cadre of District Judges where the vacancies arose prior thereto.*

- (vi) *The appeals being allowed and the impugned judgment being set aside, is without any order as to costs.*

8. Subsequent to such directions, a fresh Provisional Seniority List was published and promotions were effected on 26.03.2015 with effect from 01.04.2015 (respondent Nos.13 to 47). It is contended that the promotion of respondent Nos.13 to 47 is stated to be in excess of the 65% quota meant for the promotees. The next round of the Direct Recruitment appointment was on 08.06.2015.

9. The pleadings in the writ petition would make out that pursuant to the direction in W.A.



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

No.6514/2013, Provisional Seniority List was published which culminated in the Final Seniority List for the period from 01.05.2003 to 26.04.2016 which was notified.

10. Subsequent to grievances of the petitioners, the Chief Justice constituted a Committee who after hearing the petitioners and in specific, the first petitioner and Sri. Santosh Gajanan Bhat had contemplated taking action. However, the aforesaid Committee was reconstituted and once again the exercise of hearing was resorted to with the first petitioner having appeared before the Committee and on the basis of the report , fresh Seniority List was prepared.

11. As their grievance is stated to have been partially redressed by way of a fresh Provisional Seniority List dated 30.09.2021 which culminated into a Final Seniority List dated 16.03.2022, the petitioners seek the re-doing of the list at Annexure-'N' dated 16.03.2022.



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

12. While the petitioners have now been placed above respondent Nos.4 to 12 however, their claim for fixation of seniority above respondent Nos. 13 to 82 allegedly remains to be redressed.

13. The multiple exercises in redoing the Seniority List is reflected in the following timeline after the judgment in W.A.No.6514/2013. The following table would indicate opportunities granted and the number of times the list was redone.

Date	Description	Annexure
24.07.2014	Provisional Seniority list pursuant to WA 6514/2013	C
18.07.2016	Final seniority list	A
11.08.2016	Representation by Petitioner's for assignment of final rankings – this representation is against both 2014 list and 2016 list.	F
	Representation against Respondents 12-38 (i.e., promotes appointed after Direct Recruits)	G



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

16.06.2021	Hearing/email evidence of hearing	J
30.09.2021	Draft Seniority List	K
22.10.2021	Petitioner's objections to Draft Seniority List dated 20.09.2021	L
11.12.2021	Written Submission on behalf of Direct Recruits	M
16.03.2022	Final Seniority List	N

III. CURRENT DISPUTE:-

14. It is stated that the petitioners had applied under the quota of Direct Recruitment pursuant to the Notification dated 30.06.2015 and though select list was published on 07.12.2015, they were appointed on 21.01.2016 and joined service on 01.02.2016.

15. In the interregnum, it is stated that the respondent Nos.48 to 82 were promoted as District Judges from the cadre of Senior Civil Judges as per Notification bearing No.DPAR 51 Se VuNyA 2015, dated 13.08.2015 with immediate effect. This promotion of



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

respondent Nos.48 to 82, again the petitioners contend to be in excess of 65% quota meant for promotees.

16. It is further made out from the pleadings that on 26.04.2016, the respondent Nos.4 to 12 who were discharging duties as Senior Civil Judges were promoted to the cadre of District Judges in respect of 65% quota pursuant to Government Notification No.DPAR 39 Se VuNya 2016 dated 26.04.2016.

17. It is specifically asserted that the respondent Nos.4 to 12 whose names were found at Sl.Nos.366, 372 to 377, 379 and 380 were promoted from the post of the Senior Civil Judges to the cadre of District Judges with effect from 26.04.2016. It is asserted that though the said respondents were appointed by way of promotion later than the petitioners, they had been placed above the petitioners. Similarly, it is asserted that the respondent Nos.13 to 47 were promoted on 01.04.2015 and shown at Sl. Nos.287, 290 to 302, 304 to 310, 312 to 315, 317 to



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

322 and 324 to 327. While respondent Nos. 48 to 82 were promoted on 21.08.2015 and shown at Sl. Nos.303, 316, 330 to 336, 338 to 344, 346 to 357 and 359 to 365. It is specifically asserted that the promotion of the said respondents was in excess of the 65% Promotional Quota.

18. It is submitted that the representations have been made on 11.08.2016 at Annexure-'F' seeking redoing of the rankings in the Final Seniority List.

19. It is submitted that on the Administrative Side, the representations of the petitioners were taken up for consideration and a fresh Provisional Seniority List dated 30.09.2021 was published which eventually culminated in a Final Seniority List on 16.03.2022.

20. It is the case of the petitioners that the grievance of the petitioners with regard to the claim of fixation of seniority over and above respondent Nos. 13 to 82 has not been considered. It is specifically asserted that the respondent Nos.13 to 82, who have been assigned ranking



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

at Sl. Nos.288 to 329 and 335 to 372 are not entitled to count their seniority from the date of their promotion from 01.04.2015 and 21.08.2015, as promotions were given in excess of the posts under 65% quota earmarked for promotions and are liable to be pushed down and placed below the petitioners.

A. GROUNDS RAISED IN THE WRIT PETITION:-

(i) As regards respondent Nos.4 to 12, it is contended that they were promoted as District Judges from the cadre of Senior Civil Judges on 26.04.2016, however, they have been placed above the petitioners who were appointed earlier i.e., 01.02.2016. It is asserted that the respondent Nos.4 to 12 cannot be placed above the petitioners, as they were not borne in the cadre when the petitioners were appointed.

(ii) The assignment of seniority to respondent Nos.4 to 82 is contrary to the direction at clause-"ii" of the judgment of Division Bench passed in W.A. No.6514/2013.



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

(iii) The 'Quota Rule' prescribed under the Karnataka Judicial Services (Recruitment) Rules, 1983 [for brevity, "the 1983 Rules"] and the Karnataka Judicial Services (Recruitment) Rules, 2004 [for brevity, "the 2004 Rules"] have not been adhered to and the Seniority List is contrary to the law laid down in the case of **V.B. Badami and Others v. The State of Mysore and Others**¹.

(iv) In the absence of classifying vacancies based upon Block Periods, the impugned Final Seniority List is not in accordance with law.

(v) The vacancies have been filled up randomly without classification amongst the three different sources of recruitment and taking Block Periods.

(vi) The vacancies under the Promotional Quota are to be worked from the date of commencement of the 1983 Rules.

¹(1976) 2 SCC 901



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

(vii) The Seniority List commences only from 01.05.2003 and vacancy position prior to 2003 are not considered and promotions granted in excess of quota prescribed prior to 01.05.2003 are not accounted. It is also contended that all the appointments made since the commencement of the 1983 Rules are required to be considered and accounted.

(viii) The reckoning seniority of the promotees from an anterior date would amount to grant of retrospective promotion. It is asserted that though respondent Nos.48 to 82 are promoted on 13.08.2015, the respondent Nos.4 to 12 though promoted on 26.04.2016 are granted seniority from an anterior date.

B. STAND OF HIGH COURT:-

21. The High Court of Karnataka had filed its Statement of Objections setting out the details of working strength of cadre, and the respective proportion based on source in the cadre of District Judges. It would be useful to



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

extract paras-4 to 8 of the Statement of Objections which throws light on the proportion of Judges based on source.

"4. It is submitted that the Karnataka Judicial Service Recruitment Rules, 1983 was amended in compliance of the decision in "All India Judges Association & Others v. Union of India", 2002 (4) SCC 247, by the Karnataka Judicial Service Recruitment Rules, 2004, which came into force by notification dated 09.09.2005. As per the Rules, the ratio in promotional and direct recruitment was as under:-

<i>District Judges by way of promotion</i>	<i>50%</i>
<i>District Judges promoted from the cadre of Ad-hoc District Judges/Senior Civil Judges on the basis of merit through departmental examination</i>	<i>25%</i>
<i>District Judges by way of direct recruitment</i>	<i>25%</i>

5. As on 09.09.2005, the cadre strength of District Judges was 172. Hence, the ratio fixed under 2004 Rules, cadre strength of District Judges was quantified as under:

<i>District Judges by way of promotion</i>	<i>86</i>
<i>District Judges promoted from the cadre of Ad-hoc District Judges/ Senior Civil Judges on the basis of merit through departmental examination</i>	<i>43</i>
<i>District Judges by way of direct recruitment</i>	<i>43</i>
<i>Total</i>	<i>172</i>

6. But as on 01.10.2005, working strength in the cadre of District Judges under the respective quota was as under:



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

<i>District Judges by way of promotion</i>	78
<i>District Judges promoted from the cadre of Ad-hoc District Judges/ Senior Civil Judges on the basis of merit through departmental examination</i>	NIL
<i>District Judges by way of direct recruitment</i>	36

7. Subsequently, due to retirement of the Officers, as on 25.02.2008, the vacancy position of the District Judges under the above three segments was as under:-

<i>District Judges by way of promotion</i>	34
<i>District Judges promoted from the cadre of Ad-hoc District Judges/ Senior Civil Judges on the basis of merit through departmental examination</i>	45
<i>District Judges by way of direct recruitment</i>	14

8. The ratio in promotional and direct recruitment was yet again amended as per the direction of the Hon'ble Supreme Court in its decision "All India Judges Association & Others v. Union of India", 2010 (15) SCC 170. As per the Karnataka Judicial Services (Recruitment) (Amendment) Rules, 2011, the ratio in promotional and direct recruitment is as under:

<i>District Judges by way of promotion</i>	65%
<i>District Judges promoted from the cadre of Ad-hoc District Judges/Senior Civil Judges on the basis of merit through departmental examination</i>	10%
<i>District Judges by way of direct recruitment</i>	25%



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

22. A specific stand was taken as on 18.07.2016 that the cadre strength of District Judges was 340 and the ratio fixed was as follows:-

<i>District Judges by way of promotion</i>	221
<i>District Judges promoted from the cadre of Ad-hoc District Judges/Senior Civil Judges on the basis of merit through departmental examination</i>	34
<i>District Judges by way of direct recruitment</i>	85

23. It was opined that as on 21.01.2016, i.e., purported date on which petitioners were selected while sanctioned strength of District Judges were 314 out of which, 204 posts were promoted under the 65% quota category but there were only 193 Judicial Officers working under the category out of sanctioned posts of 204 and accordingly, there were 11(eleven) vacancies under 65% category as on 21.01.2016.

24. It is specifically asserted at Para-17 that based on the representations to rectify mistakes, the Seniority List was re-done as per the list dated 30.09.2021 (Provisional



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

Seniority List) whereby, the petitioners were placed above respondent Nos.4 to 12, while rejecting the request for further revision of the list and finally, the impugned Final Seniority List came to be published on 16.03.2022 at Annexure-'N'.

25. It is specifically asserted that the seniority list published is in order and promotions under the 65% category were made against the vacant posts and no excess officers were promoted.

C. PETITIONERS' REJOINDER:-

26. The Rejoinder has been filed by the petitioners; it is asserted once again that the Seniority List does not classify the posts amongst the three sources of recruitment by considering block periods.

27. It is reiterated that the quotas which are fixed are un-alterable and one group cannot claim the quota fixed for the other group.



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

28. It is contended that the respondent No.3 is bound by the direction passed by the Apex Court in **Dinesh Kumar Gupta and Others v. High Court of Judicature of Rajasthan and Others² [Dinesh Kumar Gupta]**. It is further contended that the principle laid down in the case of **C. Yamini & Others v. The High Court For The State of Andra Pradesh at Amravathi and Another³ [C. Yamini]** has not been followed.

29. It is specifically asserted that the direction in paragraph 84 (II) of the Division Bench passed in writ appeal is contrary to the law laid down by the Apex Court in the case of **C. Yamini(supra)**. Accordingly, it is submitted that the respondent No.3 - High Court is bound by the ratio laid down by the Apex Court in the cases of **Dinesh Kumar Gupta,** and **C Yamini (supra)** notwithstanding the directions of the Division Bench in the writ appeal.

²(2020) 19 SCC 604

³Writ Petition (Civil) No(s). 49 of 2022



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

30. It is specifically contended that the *ad hoc* District Judges appointed on 01.06.2009 and 29.07.2009 are entitled to count their seniority from the date of Notifications issued during the relevant year of 2009 and not prior to that.

31. It is contended that the Seniority List is not prepared in accordance with law and the High Court is bound to redo the Seniority List taking note of the directions of the Apex Court.

32. The petitioners in their pleadings by way of the writ petition while assailing the Seniority List have asserted that the cadre strength has not been properly taken note of and that the Final Seniority List prepared refers to only working list of District Judges and cannot be considered to be the Seniority List under law. Such stand would come out on a combined reading of the petition and the rejoinder. The pleading makes out a case that the petitioners had



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

sought to draw a distinction between working strength *vis-à-vis* sanctioned strength.

33. The petitioners had found fault with the High Court in not placing on record material to demonstrate that the Seniority List contained the sanctioned strength and that further, the High Court failed to demonstrate the appointment of District Judges traceable to the different modes of recruitment and accordingly, have asserted that the 'Quota Rule' has not been followed.

D. ORDER OF THE LEARNED SINGLE JUDGE IN W.P No. 4046/2020

34. After a detailed hearing, the learned Single Judge has disposed of the writ petition by an order dated 19.07.2023 in the following terms:-

- i) That the judicial officers promoted on the *ad hoc* basis as Additional District and Sessions Judges and their seniority has to be considered only as on the date they were appointed substantively as against the vacant



post and not from the date of appointment as *ad hoc* District Judges;

- ii) That the final seniority list consists of promotees in excess of the 65% quota and that the High Court has failed to classify the block period in the seniority list;
- iii) A finding is recorded that the reckoning of seniority from an anterior i.e., the date anterior to the date of entry would amount to violation of Article 14 and 16 of the Constitution of India;
- iv) Direction was issued setting aside the seniority list at Annexure-A and Annexure-N and further direction was issued to respondent No.3 to publish the seniority list in accordance with law.

IV. ANALYSIS:-

A. ANALYSIS OF ORDER OF SINGLE JUDGE

35. The learned Single Judge has grossly erred in recording a finding that the promotion is in excess of the 65% quota reserved for promotees. Such conclusion could



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

not have been arrived at without a factual discussion of strength of promotees with reference to the cadre strength.

36. The judgment contains mere enunciation of law and a conclusion to the effect that the promotions are in excess of quota. The conclusion which is a mixed question of fact and law is not supported by factual material and has no legs to stand.

37. The conclusion that the reckoning of seniority from a date anterior to date of entry of the promotees would be violative of Article 14 and 16 of the Constitution of India is contrary to the judgment of the Division Bench in W.A.No.6514/2013 and connected matters disposed of on 03.04.2014.

38. The Division Bench at para-82 had observed as regards seniority of promotees as follows:

"82. ... the ad hoc promotions must enure to the benefit of the promotees at least from the date the vacancies arose in the cadre of District Judges



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

and not from the date of the Notifications appointing them as ad hoc Judges.”

39. The judgment of the Division Bench having attained finality *vis-à-vis* FTC Judges (promotees) and Direct Recruits could not be re-opened so as to take away the rights that had enured to the promotees.

40. The conclusion of the Division Bench has been assailed on the ground that the observations are contrary to the law laid down in ***Dinesh Kumar Gupta(supra)*** as well as the judgment in ***C. Yamini(supra)***. It was contended that the above referred judgments of the Apex Court, clearly held that it was impermissible to grant seniority insofar as promotees from a date anterior to substantive appointment in a vacancy. It is this view that is also taken by the learned Single Judge in the observations at para-34, stating that the reckoning of seniority of promotees is in violation of Article 14 of the Constitution of India.



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

41. This view of the learned Single Judge could not have the effect of reopening the benefit conferred on the promotees and others who were parties to the *lis*. A perusal of the parties in W.A.No.6514/2013 and in the writ proceedings would indicate that the promotees referred to above were arrayed as parties.

42. The quietus to a *lis* would require that a subsequent change in law would not be a ground to re-visit an adjudication that has attained finality between the parties or persons claiming under or through such parties.

43. If that were to be so, the learned Single Judge ought to have taken note of parties to the *lis* in the previous round before observing the aspect of seniority anterior to the date of entry.

44. The said order of the learned Single Judge was assailed by the Registrar General, High Court of Karnataka in the present Writ Appeals, viz., W.A. Nos.1006/2023 c/w W.A. No.1162/2023 and W.A. No.1312/2023 which have



been filed by the District Judges filled under the 'Promotee Category'.

B. OPINION OF ANU SIVARAMAN J.,

45. The Division Bench culminated in divergent views with the judgment of *Anu Sivaraman J.*, allowing the writ appeal by setting aside the order of 19.07.2023 passed by the learned Single Judge in W.P. No.4046/2020.

46. The opinion of *Anu Sivaraman J.*, has recorded the following findings:-

- i) It was open to the High Court to fix the cadre strength on the basis of the Notification issued when the Recruitment Rules do not specify fixed numerical cadre strength for the posts of District Judges and accordingly, the cadre strength would include all those sanctioned posts in the cadre of District Judges and all posts which are to be manned by Officers in the cadre of District Judges.



- ii) The said judgment of *Anu Sivaraman J.*, has rejected the contention that there has to be a specific Notification by the State Government declaring the strength of cadre of District Judges and that the High Court on the Administrative Side could determine the cadre strength.
- iii) The said opinion further observes that the only point on which the challenge could be raised by the directly recruited District Judges is with regard to promotees exceeding their quota.
- iv) It is held that the petitioners have failed to demonstrate that the promotee District Judges were occupying posts meant to be filled up by the Direct Recruits.



- v) It was further held that certain Officers whose seniority was specifically under challenge have not been made parties and such Officers have not been heard.
- vi) That the finding of the learned Single Judge at paras-33 and 34 requires interference and that the petitioners have not substantiated their case accordingly, as per the opinion of *Anu Sivaraman J.*, the order in the Writ Petition was set aside.

C. OPINION OF RAJESH RAI K. J.,

47. The opinion of *Rajesh Rai K. J.*, is as follows:
- i) The said judgment has dismissed the writ appeal filed by the Registrar General, High Court of Karnataka in W.A. No.1006/2023 c/w W.A.Nos.1162/2023 and 1312/2023 preferred by the promotee District Judges and affirms the order of the learned Single Judge.



- ii) The direction at (iii) to (viii) is extracted below:

"iii. The High Court shall re-do the Seniority List of District Judges strictly as per the quota prescribed for three (3) sources of recruitment to the post of District Judges under the Recruitment Rules from time to time.

iv. The High Court shall publish a fresh Provisional Seniority List and provide an opportunity to all concerned Officers to file objections and thereafter finalize the Seniority List in accordance with the observations made herein.

*v. The adhoc District Judges who were appointed as Fast Track Court Judges shall be assigned ranking in the Seniority List from the date of their appointment as District Judges on substantive basis i.e., 01.06.2009 and 29.07.2009 and not from any anterior date in view of the law laid down by the Hon'ble Supreme Court in the cases of **Dinesh Kumar Gupta and***



Others (supra) and C. Yamini and Others (supra).

vi. Ten (10) District Judges who are promoted in excess of 65% promotional quota as on the date of appointment of the writ petitioners on 01.02.2016 and such other promotee District Judges, who would become excess of 65% promotional quota as a result of (i) re-assigning appropriate rankings to Fast Track Court Judges appointed during the years 2003-04 from the date of their substantive appointment as District Judges in the year 2009; and (ii) upon due verification and excluding all similar posts such as the 32 posts referred to in paragraph Nos. 20.2 to 20.11 above, if already included for the purpose of counting the cadre strength of District Judges, if any, shall be assigned rankings in the Seniority List below the writ petitioners and adjusted against later vacancies within the 65% promotional quota.



vii. The High Court shall complete the exercise as expeditiously as possible at any rate within a period of three months from this day.

*viii. The High Court is also directed to take immediate steps to comply with the mandate of Hon'ble Supreme Court in the case of **All India Judges Association & Others (supra)** by promulgating the Seniority Rules on the basis of the 40-point roster principle approved by the Constitution Bench of the Hon'ble Supreme Court in the case of **R.K. Sabharwal and Others (supra)**, at the earliest. It is needless to observe that such Rules would be applicable prospectively and the determination of existing relative seniority of District Judges shall be protected."*

- iii) The opinion records:-
- a. That the divergence is only in reference to cadre strength and consequential promotion as also the Final Seniority List dated 16.03.2022.



b. The Court has rejected the contention that petitioners cannot claim seniority over respondent Nos.13 to 82, in the absence of promotion orders challenged.

c. The opinion records that the Karnataka Government Servant's (Seniority) Rules, 1957 are applicable in the absence of any specific Rules promulgated by the High Court.

d. The opinion records the view that FTC Judges could be assigned seniority only from the date on which they are substantively appointed as District Judges and not from the date of their *ad hoc* Judges as FTC Judges.

e. It is specifically held at para-82 that 82(eighty two) Senior Civil Judges who were promoted on *ad hoc* basis as District Judges to man the FTC vide Notifications dated 15.02.2003,



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

19.03.2003, 15.11.2003 and 20.03.2004 and substantively appointed as District Judges on 01.06.2009 and 29.07.2009 cannot be given seniority prior to the date of their substantive appointment.

f. The Court has held that all the FTC Judges who had retired from service long back would not be affected if Seniority List was revised.

g. The opinion records that the 32 posts which are referred to in the discussion cannot be considered as part of cadre strength of District Judges. It is further held that creation of posts/cadre strength is essentially an executive function.

h. It is further observed that in the absence of any Notification published in the Official Gazette to include the posts of District Judges, it cannot be held that the strength of service has increased



and that the post created *de hors* the cadre of a service shall be considered as ex-cadre posts.

i. That on the date of appointment of petitioners i.e., 01.02.2016, 10(ten) Promotee Officers would be in excess of 65% promotional quota.

j. The opinion further observes that the High Court is to exclude all posts such as 32 posts if included for the purpose of counting of cadre strength.

D. CONSTITUTION OF FULL BENCH:-

48. In the absence of disposal of the writ appeals as there was a divergence of opinion, the Division Bench directed to place the matter before the Hon'ble Chief Justice for necessary orders.

49. In the present case, the Division Bench constituting *Anu Sivaraman .J.* and *Rajesh Rai K. J.* had expressed divergent opinions and unable to resolve the



**NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023**

adjudication by a judgment with a consensual opinion and having rendered their separate opinions had passed an order on 26.09.2025 as follows:

"In view of divergence of opinion expressed by us, Registry is directed to place the matter before Hon'ble the Chief Justice for necessary orders.

Interim order granted earlier in W.A. 1312/2023 shall remain in force."

50. Subsequently, the matter was placed before Hon'ble The Chief Justice, who on the administrative side has ordered as follows:-

"Date 20/11/2025

AS SPECIALLY ORDERED BY THE HON'BLE CHIEF JUSTICE ON 20/11/2025 POST WA 1006/2023 A/W CONNECTED MATTERS BEFORE THE FULL BENCH OF Hon'ble SSDYJ, Hon'ble LKJ & Hon'ble VAPJ "

51. Rule 7 of the Karnataka High Court Rules, 1959 ["the 1959 Rules"] reads as follows:-



"7. When a single Judge refers a case to a Bench or when a Bench of two Judges refers any question to a Full Bench, then the papers of the particular case shall be placed before the Chief Justice for a reference to a Bench or for the constitution of a Full Bench."

52. Rule 7 contemplates reference by a Bench of two Judges 'any question' to a Full Bench. No question has been framed by the Division Bench, but in the context of difference of opinion, the appeals itself were directed to be placed before the Chief Justice. Rule 6 of the 1959 Rules confers power on the Chief Justice to constitute Benches.

53. Rule 6 reads as follows:-

"6. Benches shall be constituted and judicial work of the Court allotted or distributed to them by or in accordance with the directions of the Chief Justice."

54. In the absence of a reference as contemplated under Rule 7 of the 1959 Rules, the Chief Justice has



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

proceeded to constitute a 'Full Bench' in exercise of the power under Rule 6 of the 1959 Rules and assigned Writ Appeal No.1006/2023 c/w W.A.Nos.1162/2023 and 1312/2023 to the Full Bench for its adjudication.

55. No doubt, learned Senior Counsel Sri. Aditya Sondhi appearing for one set of the appellants did contend that the individual opinions would have to be collated and the majority be taken to be the view while placing reliance on Section 98 of CPC as well as the judgment in *Pankajakshi v Chandrika*⁴ [*Pankajakshi*].

56. The Judgment in *Pankajakshi (supra)* cannot be relied upon, as the Travancore-Cochin High Court Act had a specific provision of the mode of resolving a divergence in decision.

57. Section 23 of the said Act reads as follows:-

"23. Reference by Chief Justice.—Where two Judges forming a Division Bench agree as to

⁴(2016) 6 SCC 157



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

the decree, order or sentence to be passed, their decision shall be final. But if they disagree, they shall deliver separate judgments and thereupon the Chief Justice shall refer, for the opinion of another Judge, the matter or matters on which such disagreement exists, and the decree, order or sentence shall follow the opinion of the majority of the Judges hearing the case."

58. The Apex Court in ***Pankajakshi (supra)*** did observe that the High Court Act of Kerala being a special legislation prevailed over Section 98 of the CPC, and it is in such context that the observation was made to the effect that majority of the opinions would have to be taken note of. However, in light of the discussion as made above, the question of resorting to Section 98 of CPC, which would reflect a General Law would not arise, as the answer for dealing of an appeal with divergent views is found in the Karnataka High Court Rules as discussed above.

59. Accordingly, the Full Bench having been seized of the writ appeals is required to decide the appeals afresh.



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

E. CADRE STRENGTH:-

E1. Notification and Quantification of Cadre:-

60. Learned Senior Counsel Sri. M.S.Bhagwat while contending that the quantification of posts/strength of cadre has to be determined as per the procedure prescribed, whereby Notification is to be made by the Government in terms of the Karnataka Civil Services Rules, 1958. It is pointed out that the Notification of DPAR of 03.03.2001 does indicate the strength of the cadre as on 03.03.2001. Further, attention is drawn to Annexure-'P' which is captioned as vacancy position of District Judges as on 01.01.2003 and it is pointed out that this list maintained has a clear reference to the sanctioned strength as on 01.01.2003 till 01.10.2010 with further categorization under different quota, viz., 50% promotees, 25% on Departmental Competitive Exam and 25% on the basis of Direct Recruitment. Apart from such data placed before the High Court, it is submitted that after 2010, it is only a



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

compilation of Notifications relating to constitution of additional Courts that are placed before the Court with many of the Notifications which provide for establishment of Special/Additional Courts while imposing a bar for recruitment to the Court.

61. It is also contended that as regards certain posts either in the Lokayukta or in the Registry of the High Court, or in the case of similar posts which could be filled up through different feeder sources such as by an official/staff of the Lokayukta or the High Court by promotion as well as by appointment of a Judicial Officer through deputation, then in such event, such posts though may be permitted to be filled up by the Judicial Officers through deputation cannot be construed to be an addition to the cadre strength. It is submitted that the theoretical possibility of filling up of the post by promotion from within the staff would not permit such post to be construed to be an addition to the cadre strength.



62. On the other hand, learned Senior Counsel Sri P.S.Rajagopal had argued that the term 'cadre' ought not to be construed as being inflexible or requiring any separate Notification to quantify strength in the cadre and the Notifications from time to time constituting Special Courts or Additional Courts must be taken note of as *ipso facto* an addition to the cadre strength. It is contended that the Notification for constituting a Special Court or Additional Court would have financial concurrence and accordingly, such Notifications must be construed as enhancing the cadre strength.

63. Similar is the stand of the High Court which has filed a Memo dated 08.09.2025 enclosing the list of Notifications regarding creation of posts or abolition which could be taken note of for the purpose of increase in cadre strength.

64. Learned Senior Counsel Sri. S.S. Naganand not only adopts the stand of the private party appellants insofar



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

as cadre strength is concerned, but implores the Court to accept the entirety of Notifications filed along with the memo as collectively constituting the cadre strength.

65. As pointed out supra, that the applicable Rules insofar as Judges of the District Judiciary would be the Karnataka Civil Service Rules, 1958 which defines 'Cadre', it would be appropriate that the strength of the cadre is also notified in terms of the said Rules periodically.

66. The cadre also would include "Temporary Post" or "Permanent Post" in terms of the definition⁵. In the absence of a formal Notification declaring cadre strength in terms of the Karnataka Civil Services Rules, 1958, there can be no inference of cadre strength by reference to documents such as Annexure-'P' which is vacancy position of District Judges, Notifications establishing Special Courts

⁵8(46) "Temporary Post" means a post carrying a definite rate of pay sanctioned for a limited time; 8(34) "Permanent Post" means a post carrying a definite rate of pay sanctioned without limit of time.



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

as filed along with the Memo dated 08.09.2025, or, inference of cadre strength by reference to administrative posts such as Registrar (Judicial) or ex-cadre posts such as Registrar (Lokayukta).

67. The implication of an Official Notification consolidating and specifying the cadre strength must be assigned due weightage as constituting the basis for determination of quota from different sources at different percentages, *viz.*, 50% by Direct Promotion, 25% Competitive Exam, 25% Direct Recruitment. If the quota of Judicial Officers who would constitute the cadre of District Judges is dependent on a percentage of the cadre strength, then cadre strength must be determined by way of a Notification without any ambiguity.

68. As rightly pointed by learned Senior Counsel Sri. M.S. Bhagwat, where certain posts could be filled up through different sources, *viz.*, either by a staff or administrative official of the Department, or by deputation



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

of a Judicial Officer, the duality of feeder source where the post could be filled up by incumbent other than a Judicial Officer, that by itself would disqualify such post to be a part of the cadre strength of Judicial Officers.

69. Further, the Notifications enclosed along with the Memo dated 08.09.2025 would also indicate that there is financial concurrence for creation of posts which refers to Administrative Posts. However, some of the Notifications contain clauses which provide that there could be no recruitment done to the new Court. An extraction of such clauses in the Notification dated 15.02.2002 vide Order No. LAW 347 LCE 2002, Bangalore, at Clauses 4 and 5 read as hereunder:-

"This is subject to the following conditions:-

...

4) The expenditure on account of creation of newly created court, creation of posts, purchase of furniture as per rules; and

5) No new recruitment should be done to the new court."



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

70. The reading of such Notification would indicate that there is financial concurrence insofar as creation of Administrative Posts (see clause 4) while there is an embargo for recruitment to the Court itself (see clause 5) which indicates that there could be no recruitment of a Judicial Officer.

71. The other Notifications creating Additional Courts also have Clauses which are not free from ambiguity as to when the Notifications could be construed as additions to the strength of cadre.

72. It is also to be noticed that at certain points of time, there are certain Courts or posts that may be earmarked, the continuance of which would be co-extensive to either a trial as in the case of Dandupalya Krishna Gang (Notification dated 15.02.2002 vide Order No. LAW 165 LCE 2001), Kumari Jayalalitha (Notification dated 27.12.2003 vide Order No. LAW 151 LCE 2003), fake stamps and stamp papers case (Notification dated 15.02.2002 vide Order No.



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

LAW 347 LCE 2002) where additional courts are set up by way of Notifications. Though the setting up of additional Courts by way of a Notification is with financial concurrence, however, where Special Courts are set-up which are trial specific, there is ambiguity as to whether setting up of such Courts could add to the cadre strength. When the Rule itself provides by way of definition that the cadre could include permanent posts or temporary posts, the exercise of determining cadre strength by looking at individual Notifications either setting up of additional Courts or setting up of Special Courts for specific trials by itself would not be definitive. In light of implication of cadre strength vis-à-vis quotas from different sources being dependent on a percentage of cadre strength, the quantification of cadre strength cannot be left to such uncertainty.

73. Accordingly, we are of the view that the strength of the cadre has to be notified as per the existing Rules at periodical intervals, perhaps co-extensive with the increase or decrease in the cadre strength. The Notification should



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

also refer to the classification of categories that may constitute the cadre such as temporary posts as the case may be. In the absence of such a Notification quantifying strength of the cadre, an inferential exercise on the basis of Notifications issued in the context of creation of additional Courts or creation of Special Courts for specific trials would be impermissible. The cadre having a definitive connotation reference to the number of Officers either in Notifications such as, Annexure-'P' or references to strength of Judicial Officers even in Seniority Lists cannot be taken to be the numbers that constitute the strength of the cadre. Reference to the number of Officers in different contexts cannot be taken to constitute the cadre.

E2. JUSTICIABILITY OF JUDICIAL REVIEW:-

74. The Division Bench in W.A.No.6514/2013 while setting aside the Seniority List in the context of *lis* between Direct Recruits and FTC Judges who were promoted had the occasion to deal with the issue of *inter se* seniority and has



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

also made observations relating to quotas of District Judges filled up through different modes *viz.*, Promotee Judges within quota of 50%, 25% quota filled by promotion on the basis of seniority-cum-merit through Departmental Competitive Examinations (accelerated promotion) and quota of 25% for directly recruited District Judges.

75. Insofar as the aspect of *inter se* seniority, the Division Bench has emphatically held that though the FTC judges were promoted through orders made in 2009, however, their seniority could be fixed on dates on which vacancies arose within the quota earmarked for promotees.

76. Insofar as the aspect relating to filling up of quota, though the question was not subjected to adjudication, the Court had construed as 'undisputed facts', the filling up of different quotas as being in compliance with quotas earmarked.



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

77. The observations made at para-52 reads as hereunder:-

"52. At the outset, the undisputed facts may be stated. Petitioners were appointed by *direct recruitment as District Judges by Notification dated 13/02/2008. They took charge on 25/02/2008. The promotee Judges were appointed or promoted temporarily as ad hoc District Judges prior to that date, by Notifications dated 15/02/2003; 19/03/2003, 15/11/2003 and 20/03/2004. Eighty two Civil Judges (Senior Division) were promoted on ad hoc basis to officiate as District Judges with immediate effect "to man the FTCs", subject to reversion at any time. The expression "to man the FTCs" in the aforesaid Notifications was deleted by Corrigendum dated 21/04/2003. It is not in dispute that directly recruited District Judges were appointed within their 25% quota. Similarly, promotee Judges were promoted/appointed within their quota of 50% and 25% quota was filled by promotions on the basis of seniority-cum-merit through a departmental competitive examination (accelerated promotion) respectively, by Notifications dated -01/06/2009, 27/06/2009 and 29/07/2009 (Annexures R-22 to R-24) as per 2004 Rules. Thus the quota Rule has been maintained*



and there is no transgression of the quota in the instant case."

(emphasis supplied)

78. The Court has emphatically recorded a finding that quota rule has been maintained and there was no transgression of the quota in the case on hand.

79. This finding by the Division Bench is on an aspect that would have bearing on the contentious issue of seniority between the Direct Recruits versus the Promotees. Any violation of quota would have resulted in the redoing of the Seniority List only on such premise. Having found that there was no transgression of quota, the Court then entered into the *inter se* seniority between the FTC Judges vis-à-vis the Direct Recruits on other contentions.

80. Such finding on the 'Quota Rule' as on the relevant date could be construed to be a finding that is not open for re-adjudication when the parties to the *lis* have not



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

challenged the judgment of the Division Bench before the Apex Court.

81. If it were to be so, that as on 14.09.2012 that the 'Quota Rule' has not been violated, the petitioners in the fresh round of litigation are required to lay a factual foundation regarding their assertion that the Promotees are in excess of their quota and such excess is a factual event subsequent to the previous Seniority List. The petitioners would then be required to detail the promotions effected after 2012 till the date of the Seniority List at Annexure-'N' dated 16.03.2022.

82. It is to be noticed that the petitioners in their pleadings in the writ petition have set up the case of violation of the quota earmarked for the Promotees. A perusal of para-5.5 of the memorandum of writ petition would indicate that the petitioners have specifically averred regarding the violation of 'Quota Rule'. It is specifically



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

averred that the quota since 1983 have not been worked out before finalizing the Seniority List.

83. The said contention requires to be rejected in light of the observations of the Division Bench extracted above, as the aspect of violation of quota prior to 2012 is a settled issue having been adjudicated upon with the judgment of the Division Bench having attained finality.

84. Insofar as the averment in para-5.6 of the memorandum of writ petition, the petitioners seek to set up a case regarding increase in cadre strength of 139 Officers being filled in without reference to the percentage of quota earmarked for the feeder sources. Para 5.6 would indicate that though 90 posts were available under 65% Promotional Quota, the Final Seniority List would reveal that 114 persons were promoted against the said quota and accordingly, it is asserted that respondent Nos.13 to 82 have been promoted in excess of the quota. Para 5.7



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

indicates the quantification of the quota with effect from the commencement of the 1983 Rules.

85. It is to be noted that the petitioners are seeking to set up the case by re-working quota from 1983 as noticed above is impermissible. As regards 'increase in cadre strength' being filled up without adhering to the quota requirements is a contention that cannot be entertained, as the 'Quota Rule' is not 'vacancy-based' but 'post-based.' If that were to be so, the foundation regarding violation of quota being based on vacancy is a faulty legal premise.

86. The adjudication of the Division Bench in W.A.No. 6514/2013 settling the *inter se* seniority issue between the Direct Recruits and the Promotees is repeatedly sought to be re-opened by contending that though the appointment order of the Promotees date back to 2009, the observation of the Division Bench that their seniority could be pre-dated to the date of appointment i.e., to a date when vacancy arose in the cadre was in violation



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

of the observations made in ***Dinesh Kumar Gupta(supra)*** and ***C. Yamini(supra)***.

87. The judgment in the writ appeal having attained finality between the Direct Recruits and Promotees cannot be re-opened by contending that the Division Bench has ignored applicable law.

88. The settled issue ought not to be re-agitated is a principle born out of Public Policy. The observations of the learned Single Judge also attempting to overreach the judgment of the Division Bench as made out at paras-30 and 33 would be impermissible. Further, the observation of the learned Single Judge at para-32 related to filling up of 139 posts wherein cadre was increased is also on the premise of quota relating to vacancy and not posts which would also be impermissible.

89. The efforts of *Rajesh Rai .K J.*, in holding that the judgment of the Division Bench was contrary to the orders



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

of the Supreme Court would also be impermissible and be seen as an attempt to re-open a settled issue.

90. The effort of the petitioners to achieve a perfect Seniority List to their liking by their repeated approach on the administrative side and the judicial side cannot be a continuing exercise with no closure. Uncertainty in Seniority List would have grave consequences of demoralizing the Officers due to absence of certainty in their promotional avenues.

91. In the writ petition, the petitioners seek to challenge the Seniority List at Annexure-'A' dated 18.07.2016 and Annexure-'N' dated 16.03.2022 that is notified during the pendency of the petition. The Seniority List at Annexure-'A' could be construed to be a list prepared consequent to the directions in W.A.No.6514/2013. W.A.No.6514/2013 has directed preparation of a fresh Seniority List after setting aside the order in W.P.Nos.41684-691/2012. In the said proceedings, the



Final Seniority List of District Judges published on 14.09.2012 was challenged.

92. Though it is contended and such contention was accepted by *Rajesh Rai .K J.*, in his opinion that the redrawing of Seniority List would restrict itself to serving Judicial Officers and not impact those who have already attained seniority, however, such simplistic reasoning cannot mask the impact of a redone list.

93. The manner of reworking and its legal consequences could be contemplated by an exercise of redoing the Seniority List as has been proposed by *Rajesh Rai .K J.*, in his opinion at para-103 in W.A.No.1006/2023 and connected matters.

94. Para-103 of the judgment reads as hereunder:-

"103. The High Court has claimed that there were 314 sanctioned posts in the cadre of District Judges as on the date the petitioners and others were appointed on 01.02.2016 and thus, there would be 204 posts under 65% promotional quota.



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

It is their further stand in the Sur-Rejoinder that 193 Judicial Officers promoted under 65% promotional quota were working as on that day. However, if the above said 32 posts are excluded from 314 posts considered by the High Court as total cadre strength, then the cadre strength of District Judges will be 282 posts. In such an event, there would be 183 posts under 65% promotional quota. Thus, even as on the date of appointment of the petitioners i.e., 01.02.2016, 10 promotee Officers would be in excess of 65% promotional quota. The High Court shall also verify and exclude all such similar posts such as these 32 posts, if already included for the purpose of counting the cadre strength of District Judges."

95. In terms of the above observations, if 10(ten) Promotee Officers are in excess of the Promotional Quota, and the Seniority List is to be re-done by placing the petitioners above such Promotees, who are stated to be in excess of their quota, the Judicial Officers at Serial Nos.363 to 372, would be pushed below the petitioners. An extract of the Seniority List at Annexure-'N' relating to such Officers who would be pushed down are as follows:-



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

Sl. No.	Name of the Officer	Date of Birth	Date of Entry into Service	Date of Promotion as District Judge
363	Biradar Devendrappa N. (Promotion)	01.10.1968	26.07.1999	31.08.2015
364	A. Vijayan (Promotion)	12.05.1961	26.07.1999	31.08.2015
365	Umesh Moolimani (Promotion)	15.05.1959	26.07.1999	31.08.2015
366	Kasanappa Naik (Promotion)	06.05.1965	26.07.1999	31.08.2015
367	Patil Nagalinganagouda (Promotion)	03.06.1962	26.07.1999	27.08.2015
368	S. Gopalappa (Promotion)	25.04.1967	26.07.1999	27.08.2015
369	Vela Damodar Khoday (Promotion)	06.12.1970	26.07.1999	24.08.2015
370	G.L. Lakshminarayana (Promotion)	05.07.1968	26.07.1999	27.08.2015
371	Prabhavathi G. (Promotion)	02.12.1968	26.07.1999	01.09.2015
372	Nagaveni (Promotion)	09.05.1968	26.07.1999	29.08.2015

96. Even if this list dated 16.03.2022 is now redone in terms of the opinion, it would indicate that the out of 10 (ten) Officers, the following Officers have already retired (*see Table infra*). Any redoing of a Seniority List cannot have such consequence of reverting Officers who have



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

performed duties including as Principal District Judges (Sl. No.371 – Prabhavathi G.). A judicial adjudication cannot be oblivious to its consequences when some consequences may due to lapse of time unfortunately be irreversible. A legal adjudication cannot restrict itself to addressing merely interests that would be prejudiced as a direction to do a Seniority List would have a bearing even as regards those Officers who have attained superannuation insofar as the retirement benefits including pension, depend on the length of service in the cadre and also the layers of seniority linked to functional promotion. If that were to be so, the redoing of the Seniority List must address the consequences on those who have also attained superannuation such as the officers mentioned below:-

Sl. No.	Name of Officer	Date of Birth	Date of Entry into Service	Date of Promotion as District Judge
364	A. Vijayan (Promotion)	12.05.1961	26.07.1999	31.08.2015
365	Umesh Moolimani (Promotion)	15.05.1959	26.07.1999	31.08.2015
366	Kasanappa Naik (Promotion)	06.05.1965	26.07.1999	31.08.2015



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

367	Patil Nagalinganagouda (Promotion)	03.06.1962	26.07.1999	27.08.2015
-----	--	------------	------------	------------

97. In any matter relating to challenge to Seniority List where specific contention is taken that there have been promotions made in excess of the quota for feeder source, pleadings ought to demonstrate with material particulars as to how the petitioners contend that there has been promotion in excess of the quota earmarked for the promotees.

98. It is to be noticed that the petitioners have asserted in their rejoinder that the High Court while referring to the strength of officers, have only referred to the "working list" and not the sanctioned strength. If such were to be the stand, the basic premise of strength of the cadre itself is not ascertainable even as per the pleadings of the petitioner.



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

99. In light of such ambiguity, it would be not be appropriate to re-visit and re-do the Seniority List impugned.

100. Any interference by way of judicial review in a Seniority List prepared by the employer cannot be resorted to at the mere say of the parties to the *lis*. Even if there is any ambiguity in the list, the exercise is left to be made by the employer.

101. Though the Seniority List or adherence to quota may not be free from defects, however, existence of such defects does not justify interference as a matter of course in exercise of power of judicial review, when the result of redoing the Seniority List is not based on unequivocal data and material and may lead to unsettling the Seniority List with perpetuation of further defects. Such a conclusion would be inevitable, as the strength of the cadre as on the relevant date is not ascertainable as would be made out from the above discussion.



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

102. Learned Senior Counsel Sri Gaurav Agarwal appearing for Petitioner No. 4 in W.P.No.4046/2020 has contended that the details furnished by the High Court may be taken note of to determine the cadre strength. However, as discussed, the determination of cadre strength cannot be a product of such casual exercise. The suggestion that this Court monitors the preparation of a Seniority List, and hence keep the matter pending cannot be accepted, as the employer we trust would ensure that the determination of the cadre would be accomplished with due care and caution, and we do not intend to usurp the powers of the employer realising the limits of judicial review. However, some of the suggestions made are well meaning and taken note of.

E3. VACANCIES VIS-À-VIS CADRE STRENGTH:-

103. The petitioners in their pleadings at paras-5.5 to 5.7 have asserted that the vacancies that have occurred also as a result of 'increase in cadre strength' ought to have been filled up with reference to the respective quotas. Specific averment is made as follows: -



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

*".....However, even assuming there is increase in cadre strength by 139 posts, only **90 posts** are available under 65% promotional quota in respect of the posts in the cadre of District Judges that have increased. However, the impugned Final Seniority List would reveal that **114 persons** are promoted against the said 65% quota, though only 90 posts could have been earmarked for promotes."*

104. The premise that there is violation of quota is on the understanding that the quota is required to be filled in the vacancies that have arisen. Such assertion is not legally tenable in light of quota being filled up with reference to posts in the cadre and not vacancies available. Such principle also flows from the judgment of the Supreme Court in **R.K. Sabharwal and Others v. State of Punjab and Others**⁶ (see para 5&6). Further, the Recruitment Rules themselves provide quota as being a percentage of the 'Posts'. Accordingly, the contention of breach of quota based on the premise of maintenance of quota in vacancies is liable to be rejected.

⁶(1995) 2 SCC 745



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

105. The petitioners have been denied relief on the basis of lack of appropriate pleadings, non-quantification of cadre strength which are essentially non-negotiable conditions to be met before proceeding to adjudicate on other contentions. Though the remedy of the Direct Recruits is denied on such grounds, nevertheless the requirement of maintenance of quota would be a continuing legal obligation.

106. However, the apprehension of the Direct recruits in relation to promotees occupying in excess of the quota could be addressed by way of appropriate directions.

107. Taking note of the latest order of the Apex Court in **All India Judges Association and Ors. v. Union of India and Others**⁷ which directs for redoing of the quota by way of new percentage fixed *viz.*, 50% for promotees, 25% for promotees appointed through Departmental Competitive Exam and 25% for Direct Recruits and

⁷Writ Petition (Civil) No.1022 of 1989



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

maintenance of 4-Point Roster (2 Regular Promotees, 1 Direct Recruit, 1 Departmental Competitive Exam) which direction is to be implemented within 3 months.

108. For the purpose of implementation of such order, a Committee is now set up by the High Court as is evidenced from the Memo dated 11.03.2026. The present order passed if it would not address the necessity of maintenance of quota, there would be a plausible continuation of quota imbalance.

109. As stated above, unless the cadre strength is quantified there could be no working of the quota.

110. This exercise of quantifying the cadre strength and consequential determination of posts under different feeder category as per quota is required to be determined at the earliest, failing which, the 4-Point Roster and its implementation would fail.



**NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023**

**E4. VIEWS ON THE OPINIONS OF ANU SIVARAMAN J., AND
RAJESH RAI .K J., ON CADRE STRENGTH:-**

111. As the Karnataka Civil Service Rules, 1958, refers to temporary and permanent posts before the State quantifies the cadre strength, there must be consultation with the High Court.

112. The reliance by *Anu Sivaraman J.*, on the order of **High Court of Kerala and Others v. Mohandas P.K and Others [Mohandas]** in W.A.No.1224/2017 to conclude that High Court could collate the Notifications and effectively determine the cadre strength.

113. In the case of ***Mohandas (supra)***, the dispute arose where the High Court had notified the cadre strength to include within the cadre 'temporary posts' which action was challenged by the Judicial Officers of the 'Subordinate Judiciary'. There was a Notification defining cadre as follows:-



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

"Cadre Strength shall constitute all the sanctioned posts of District & Sessions Judges (including Additional District & Sessions Judges), all the sanctioned posts of Judges in the equivalent stature, all such temporary posts existing for more than six months and all such posts created by Government from time to time, in the Kerala State Higher Judicial Service."

114. It is further observed in the judgment that the State had left the numerical strength to be computed by the High Court.

115. The prerogative of the State as regards notifying the cadre was in fact recognised at paras-9 and 10 which reads as follows:-

"9. The first is that by the earlier judgment i.e., W.P.(C) No.12732/2015 & connected cases, this court had directed reconsideration in respect of 16 posts. Instead of that, the State went ahead and redefined and the High Court declared the strength of the cadre to be 169 from 130 earlier. The learned single Judge took this as an inappropriate approach. We respectfully disagree



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

with the same. The power of the State Government is a plenary power and the State Government can exercise it as and when the situation so demands, so long as it is exercised within the constitutional framework. No courts can restrain the State in exercising its functions as per its jurisdiction and subject to the conditions of such exercise. By W.P.(C) No.12732/2015 & connected cases, this Court did ask the State to reconsider with regard to 16 posts. But then, it did not bind the State not to exceed that, for the State has its own jurisdiction in the matter. The State thus in consultation with the High Court was fully competent to issue the impugned order i.e., G.O.(MS) No.226/2016/Home dated 30.8.2016. We, thus, cannot uphold the reasoning of the learned single Judge.

10.The second ground taken was that temporary posts cannot be included in the permanent cadre. The learned single Judge upheld the said contention. Respectfully, we think that is a wrong proposition of law. A cadre is a designated group of officers who are grouped together. Cadre means strength of a service or part of a service sanctioned as an independent unit. It may have posts of different grades. It may even include temporary posts, work charged posts, supernumerary posts, shadow posts created in different grades to



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

*constitute cadre. That is the prerogative of the State. In this connection we would refer to judgments of the Supreme Court in the case of **Baleshwar Dass And Others v.State of U.P. And Others**(1980 (4) SCC 226) and **Union of Indiaand Others V. Pushpa Rani and Others** (2008 (9) SCC 242) and several other cases wherein it has clearly been held that it is open to the Government to include temporary posts in the cadre to be defined by them. The learned single Judge was clearly wrong in holding that temporary posts could not be included in the cadre."*

116. However, noticing that the State had delegated the quantification of cadre strength to the High Court which the Single Judge had found objectionable, the following observations were made at para 11 as follows:

"11.Lastly, the learned single Judge was of the view that the power of declaring the cadre strength was that of the State and the State could not have delegated it to the High Court, in the sense, left it to the High Court to quantify the same. The learned single Judge was of the opinion that not only the post but the numerical strength have to be declared by the State. We are unable to accept the same. It is



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

for the State in consultation with the High Court to declare the cadre and its strength. Its strength is to be calculated on the basis of the posts which are brought in the cadre. Once the posts are indicated, then it is only a ministerial work that is required to be done by the High Court.”

117. It is only in such context that the observations in ***Mohandas(supra)*** is required to be understood and cannot be construed otherwise.

118. The opinion of *Rajesh Rai .K J.*, on the other hand that there should be Notification by the State requires acceptance.

119. The opinion of *Anu Sivaraman, J.*, that the Single Judge has grossly erred in observing that the quota ought to be with reference to vacancies and that the quota is in relation to the cadre and not vacancy requires acceptance.

120. The opinion of *Rajesh Rai .K J.*, that the seniority of FTC Judges has not become final by virtue of the



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

judgment passed in W.A.No.6514/2013 and upholding the finding of the learned Single Judge on such point cannot be accepted. *Rajesh Rai .K J.*, in his opinion proceeds to hold that the law laid down by the Division Bench in W.A.No.6514/2013 is contrary to ***Dinesh Kumar Gupta(supra)*** and ***C. Yamini (supra)*** and hence the seniority of FTC Judges can be re-opened, cannot be accepted.

121. As discussed above, the conclusion in W.A.No.6514/2013 insofar as it observes that there could be seniority of FTC Judges anterior to the date of appointment cannot be re-opened. The judgment in writ appeal having attained finality would prevent re-opening of settled issue at least as regards the parties to the *lis* in W.A. No. 6514/2013 or persons claiming through them. The judgments in ***Dinesh Kumar Gupta(supra)*** and ***C. Yamini(supra)*** are subsequent and cannot have the effect of altering the directions in W.A.No. 6514/2013 which have attained finality as regards parties to the *lis*.



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

Accordingly, the opinion of *Rajesh Rai .K J.*, insofar as it is contrary to the above position cannot be accepted.

122. The observation of *Anu Sivaraman J.*, holding that the observations of the learned Single Judge in paras-33 and 34 requires to be set aside would be in consonance with the above discussion.

123. The opinion of *Rajesh Rai .K J.*, at para-87 requires acceptance insofar as it holds that the Notification to set up Special Courts cannot *ipso facto* be construed to be an addition of cadre strength. As regards the Notification of 15.02.2002 (Special Court set up to try Dandupalya Krishna Gang case) and the Notification of 15.02.2002 to try cases relating to 'fake stamps and stamp papers', condition No.5 as rightly observed provides that "No new recruitment should be done to the new court." Further, in the case of *Kumari Jayalalitha*, the Notification would indicate that an existing District Judge has been deputed to conduct the trial. Thus, the interpretation of the Notification



will have a bearing as to whether the Notifications could be construed to be an addition to the cadre strength.

124. The further discussion from paras-87 to 97 rightfully highlights the difficulties in construing certain Notifications as an addition to cadre strength and highlights the need to notify cadre strength of taking note of various factors.

125. The factors that may have to be kept in mind are:-

- (a) Whether the post created is temporary i.e., trial relating to a solitary issue?
- (b) Whether the Special Court is nominated with a Presiding Officer drawn from the regular District Judge cadre?
- (c) Whether the post to be filled up in another Organization e.g., Lokayukta (Registrar), Karnataka Administrative Tribunal (Registrar), which post could be filled up either by a District Judge or by promotion of an Officer from within the Organization itself?



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

126. In each of the above circumstances, the addition to the cadre would be based on an interpretation of the Rule relating to cadre. It may require determination as to whether the post is a temporary post which is a constituent of the term 'cadre'. Similar questions require to be probed. Such exercise cannot be embarked upon by the Court, but falls within the domain of the Authority competent to notify the cadre in consultation with the High Court.

127. *Rajesh Rai .K J.*, in his opinion at paras-103 to 104 has commented upon the exclusion of 32 posts from the cadre and redoing of the Seniority List.

128. It is not open for the Court which sits in judicial review to enter into the disputed facts and conduct an exercise of exclusion and inclusion of posts from the cadre strength by interpretation of Notification of Special Courts, Notification of Deputation Posts in other Organizations and other such Notifications. Accordingly, the opinion of *Rajesh*



**NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023**

Rai .K J., regarding redoing of Seniority List by excluding 32 posts and all such similar posts is unacceptable.

129. The opinion of *Anu Sivaraman J.*, that the writ petition deserves to be dismissed requires to be upheld, while the opinion of *Rajesh Rai .K J.*, that the writ petition deserves to be allowed cannot be accepted due to the discussion supra.

F. QUOTA RULE APPLICATION:-

130. *Anu Sivaraman J.*, records a specific finding that the writ petitioners have not demonstrated as to how many Promotee Officers are in excess of the quota *vis-à-vis* that cadre strength.

131. *Rajesh Rai .K J.*, on the other hand, has taken note of the Notifications of Government relating to filling up of posts and recorded a finding that 32 posts cannot be considered as part of cadre strength. It is observed at para-103 that as on the date of appointment of petitioners on



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

01.02.2016, out of 314 sanctioned posts, there would be 204 posts under the Promotional Quota, while 193 Judicial Officers were promoted under 65% Promotional Quota and after excluding 32 posts cadre strength would be 282 posts and there would be 183 posts under 65% Promotional Quota and accordingly, as on 01.02.2016, the Promotees were in excess of 65% quota.

132. It is thus clear that the detailed arguments made contending either that quota of the feeder source has been exceeded is an argument that cannot be adjudicated upon unless there is a definitive finding as to what would constitute the 'cadre'.

F1. RECRUITMENT RULES:-

133. The Karnataka Judicial Service (Recruitment) Rules, 2004 traces its power to Article 233 and 234 of the Constitution of India. The power conferred under Article 233 and 234 in recruitment of Officers to the Judicial service would be exercisable by the Governor of the State in



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

accordance with the Rules made after consultation with the State Public Service Commission and the High Court.

134. Rule 11 of the said Rules reads as hereunder: -

"11.Application of other rules:-

(1)Subject to Articles 233, 234 and 235 of the Constitution of India, provisions of rules, 5, 6(2) 6(3), 8, 9 and 10 to 13 of the Karnataka Civil Services (General Recruitment) Rules, 1977 shall, in so far as they are not inconsistent with these rules, mutatis mutandis apply to recruitment of District Judges, Civil Judges (Sr. Dn.) and Civil Judges (Jr. Dn.) under these rules.

(2) All rules regulating the conditions of service of the members of the State Civil Services made from time to time under any law or the proviso to Article 309 of the Constitution of India shall, subject to Articles 233, 234 and 235 be applicable to the Civil Judges (Jr. Dn.), Civil Judges (Sr. Dn.) and the District Judges recruited and appointed under these rules."

135. By virtue of Rule 11(2), the conditions of service would be subject to Rules under *Proviso* to Article 309



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

which would be applicable to the Civil Judges, Senior Civil Judges and the District Judges. However, this would be subject to Article 233, 234 and 235 of the Constitution of India. Accordingly, in the absence of any Rules framed as regards Seniority of District Judges, the Karnataka Government Servants' (Seniority) Rules, 1957 would apply.

136. However, the concept of 'Cadre' would have a bearing on recruitment insofar as the quota fixed in terms of the Karnataka Judicial Service (Recruitment) Rules, 2004. Under Rule 4 of the said Rules, the recruitment to District Judges from the sources of promotion from the cadre of Senior Civil Judge, by direct recruitment, by competitive exam is fixed as a percentage of the posts. The reference to posts would be relatable to posts in the cadre. However, we find that the Judicial Service Recruitment Rules does not define 'cadre'.

137. By virtue of Rule 11(2) of the above Rules, all Rules regulating conditions of service made under *Proviso*



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

to Article 309 shall be applicable to the District Judges recruited and appointed under the Rules. If that were to be so, it is necessary to fall back on the definition of 'Cadre' under the Karnataka Civil Services Rules as notified in 1958.

138. Rule 8(7) defines 'Cadre' as follows: -

"8(7). "Cadre" means the strength of a service or part of a service sanctioned as a separate unit"

139. Though such power under Rule 11(2) of the Karnataka Judicial Service (Recruitment) Rules, 2004 is subject to Article 233 and 234 of the Constitution of India, however, it appears that non-defining 'Cadre' in the Karnataka Judicial Service (Recruitment) Rules, 2004 has resulted in primacy of the power of the State in notifying the cadre through the Karnataka Civil Services Rules, 1958 framed in exercise of the power conferred under the *Proviso* to Article 309. Needless to state, such Notification can be made only with the consultation of the High Court.



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

Invariably such Notification is a culmination of an exercise initiated from the High Court itself.

140. Accordingly, in terms of the applicable Rules, the strength of the cadre requires quantification by virtue of the procedure as prescribed under the Karnataka Civil Service Rules, 1958.

141. The data placed before this Court regarding the strength of cadre relating to the relevant period is not definitive insofar as there is no clarity as to whether temporary posts, officiating posts could constitute part of the cadre strength in the absence of any provision in the Recruitment Rules.

142. Insofar as the cadre as referred to under the Karnataka Civil Services Rules, 1958, no Notification is forthcoming from the Government regarding the strength of the cadre as on the relevant date.



143. If it is the contention of the petitioners regarding breach of the 'Quota Rule' *vis-à-vis* the sources from which there is recruitment to the cadre of District Judges, such contention cannot be adjudicated in the absence of a definitive cadre.

144. The argument raised before this Bench regarding quota of District Judges is to be quantified by determining the percentage of entry level District Judges after excluding the strength of Selection Grade and Super Time Scale District Judges deserves to be rejected.

145. Learned Senior Counsel Sri M. S. Bhagwat has contended that the percentage from the feeder sources that would constitute the entry level District Judges quota would be the quota to be taken note of and not the percentage of the entirety of the cadre of District Judges.

146. Such argument is not grounded in the pleadings and raised for the first time at this stage cannot be entertained. The reference made to the Government Order



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

No.LAW 26 LAC 2005, Bangalore, dated 22.04.2006 would on a close reading make it clear that the stratification in the cadre of District Judges as Entry Level, Selection Grade and Super Time Scale is only a mechanism for functional promotion within the cadre of District Judges as an aspect of implementation of Assured Career Progression Scheme and Financial Upgradation pursuant to the directions of the Apex Court in the case of **All India Judges Association v. Union of India vide judgement dated 21.03.2002.** However, the said Government Order would refer to the different sub-categorisations as being a percentage of the cadre strength of District Judges. Accordingly, it cannot be stated that the strength of the cadre of District Judges is dependent on the strength of the Entry Level category of District Judges. The cadre of District Judges is a homogenous unit with a definitive strength and reference to sub-categorization cannot lead to diminishing of the cadre strength and restricting it only to the Entry Level District Judges.



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

147. It is also to be noticed that though in the Karnataka Judicial Services (Recruitment)(Amendment) Rules 1989, there is a reference to District Judges (Super-Time Scale) as a category of posts, such distinction is no more continued in the Karnataka Judicial Service (Recruitment) Rules 2004. The 2004 Rules refer to the cadre of 'District Judges' with no further classification and accordingly, it can be stated that the sub-categorisation of the cadre of District Judges into Super-Time Scale, Selection Grade, and Entry-Level District Judges would be impermissible as not being backed by executive orders which promulgate the Rules. The subsequent amendment effected to the 2004 Rules in 2011 also does not change the position.

V. CONCLUSION AND DIRECTIONS:-

148. This judgment is a product of active deliberation and discussion with the other Bench Partners whose



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

valuable inputs have enriched the judgment for what it stands.

149. In the result, the writ appeals are ***allowed***. The order dated 19.07.2023 passed by the learned Single Judge in W.P.No.4046/2020 deserves to be set aside and the writ petition stands dismissed.

150. Insofar as I.A. No.2/2025 for impleading filed by the direct recruits, we find that the said application is filed at this belated stage and cannot be entertained. Further, the contentions raised have an overlap with the contentions of the direct recruits though of a different batch which have been considered and accordingly, the said application is rejected.

151. However, before concluding, we need to take note of the recent order of the Apex Court which would be of relevance insofar as it prescribes the way forward. Having denied relief to the petitioners in the above case, yet it would be apposite to make certain observations and



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

directions to ensure that the system moves forward within the applicable legal framework. These observations are required in light of the High Court not having incorporated the '40-Point Roster' as stipulated in the "Fourth AIJA"⁸.

152. We are constrained to observe that, if the Apex Court passes certain directions relating to Higher Judicial Service after considering the views of the High Courts to ensure a balanced system is in place, then such system is required to be implemented with no exception. The order of the Apex Court dated 19.11.2025 passed on I.A.No.230675/2025 in Writ Petition (Civil) No.1022/1989 indicates the requirement of '4-Point Roster' with a timeline for implementation while maintaining the proportion of 50:25:25 to the entire cadre.

153. Having allowed the Writ Appeals and noticing the directions of the Apex Court passed on I.A.No.230675/2025 in Writ Petition (Civil) No.1022/1989, the following

⁸(2002) 4 SCC 247



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

directions are made which would be a step towards evolving a system where objectivity is enhanced leaving lesser room for litigation:-

(i) The High Court is now to place a request to the State Government to notify the cadre strength with all necessary details;

(ii) Upon the Notification of the cadre strength, steps to be taken for implementation of the '4-Point Roster' and for such purpose, the recommendations of the Committee constituted to suggest methodology for implementation of '4-Point Roster' to be taken note of;

(iii) To enable the effective working of the '4-Point Roster', the State Government to ensure that the Notification of the cadre strength is made at the earliest within a period not later than one month of the date of



High Court sending proposal to notify the cadre strength;

(iv) In light of the change in the percentage of quota *viz.*, 50% by Promotion, 25% to be filled by promotion on the basis of Competitive Examination and 25% quota for Directly Recruited District Judges, there requires to be a re-look in to the existing cadre strength and reconciling it with the new quota and this direction would operate prospectively. This would not have the effect of unsettling the Seniority List at Annexure-'N';

(v) Noticing that there are no separate Seniority Rules, the State Government in consultation with the High Court keeping in mind the Constitutional Scheme to frame the Seniority Rules;



NC: 2026:KHC:17771-LB
WA No. 1006 of 2023
C/W WA No. 1162 of 2023
WA No. 1312 of 2023

(vi) The High Court also to take steps to frame appropriate Rules regarding the cadre and conditions of service as regards Judges of the Higher Judicial Service consistent with the Constitutional Scheme and the applicable procedure.

SD/-
(S SUNIL DUTT YADAV)
JUDGE

SD/-
(LALITHA KANNEGANTI)
JUDGE

SD/-
(VIJAYKUMAR A. PATIL)
JUDGE

NP/VGR