



NC: 2026:KHC-D:15985-DB
WA No. 100796 of 2026

CNR: KAHC020178292026

IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 24TH DAY OF SEPTEMBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE M.NAGAPRASANNA

AND

THE HON'BLE MRS JUSTICE HEMA KULKARNI

WRIT APPEAL NO.100796 OF 2026 (GM-RES)

BETWEEN:

1. ASMA GHORI (MOGARE), C/O. ASIF IQBAL MOGRE,
AJMEER NAGAR MASJID, NEKAR NAGAR, VTC,
HUBBALLI – 580 024.
2. TASLEEM BANU NADAF
C/O. ABDUL REHAMAN NADAF,
179, JAVALI PLOT, OLD HUBBALLI – 580 024.
3. TABASSUM MULLA C/O. MOHAMMED SIRAJ MULLA ,
100 MANNAT MANZIL,
MAYUR PARADISE, NEAR BSNL OFFICE,
GANDHI NAGAR, DHARWAD.
4. MOHAMMED KHASIM MUJAWAR,
S/O. MOHAMMED SAB, BINDERGI ONI,
2ND CROSS, GANESH PETH,
HUBBALLI - DHARWAD – 580 020.
5. EUQAL RIGHTS KARNATAKA,
THROUGH ITS PRESIDENT, SHAFQAT BADIGER,
QUADRIYA MASJID TORVI HAKKAL,
HUBBALLI – 580 024.
6. MUSHFIRA MUNDWAD,
AGED ABOUT 12 YEARS,
ASHREE RAM NAGAR, HATTIKOLA,
DHARWAD – 580 007, REP. BY HER FATHER,
MD. HANEEF MUNDWAD.

...APPELLANTS

(BY SRI. PRASHANT BHUSHAN, SENIOR ADVOCATE A/W
SRI. AKRAM UPPIN, SMT. NISHA TIWARI,
SRI. KHALIL U.R. REHAMAN AND
SRI. ZAINULABIDEEN, ADVOCATES)



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AND:

1. THE STATE OF KARNATAKA,
REPRESENTED BY ITS PRINCIPAL SECRETARY,
SCHOOL EDUCATION AND LITERACY DEPARTMENT,
2ND GATE, 6TH FLOOR, M. S. BUILDING,
DR. AMBEDKAR VEEDHI,
BENGALURU – 560 001.
2. THE DEPARTMENT OF SCHOOL EDUCATION
AND LITERACY KARNATAKA,
REPRESENTED BY ITS COMMISSIONER,
NEW PUBLIC OFFICES, NRUPATHUNGA ROAD,
AMBEDKAR VEEDHI, BENGALURU 560 001.
3. DIRECTORATE OF URDU AND
OTHER LINGUISTIC MONORITY SCHOOLS,
(DEPARTMENT OF SCHOOL EDUCATION),
KARNATAKA, REPRESENTED BY ITS DIRECTOR,
K.R. CIRCLE, BENGALURU – 560 001.
4. THE DEPUTY COMMISSIONER,
DHARWAD DISTRICT, D.C. COMPOUND,
DHARWAD – 580 001.
5. THE MINORITY WELFARE DEPARTMENT,
REPRESENTED BY ITS PRINCIPAL SECRETARY,
NO.16, MILLERS ROAD, VASANTH NAGAR,
BENGALURU – 560 052.

...RESPONDENTS

(BY SRI. GANGADHAR J.M., AAG A/W
SRI. RAKESH M. BILKI, GA FOR RESPONDENTS)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING TO ALLOW THE PRESENT WRIT APPEAL AND SET ASIDE THE ORDER DATED 18.09.2026 PASSED BY THE LEARNED SINGLE JUDGE IN W.P.NO.107175 OF 2026 OR ALTERNATIVELY, TO RESTORE W.P. NO.107175 OF 2026 FOR CONSIDERATION AND DISPOSAL ON MERITS IN ACCORDANCE WITH LAW TO PASS SUCH OTHER ORDER(S) AS THIS HON'BLE COURT MAY DEEM FIT AND PROPER IN THE FACTS AND CIRCUMSTANCES OF THE CASE, IN THE INTEREST OF JUSTICE AND EQUITY.



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THIS WRIT APPEAL, COMING ON FOR ORDERS THIS DAY,
JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.NAGAPRASANNA
AND
HON'BLE MRS JUSTICE HEMA KULKARNI

ORAL JUDGMENT

(PER: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**)

The appellants are before this Court calling in question an order of the learned Single Judge, which declines to entertain the petition on the score that the Court of first instance in such cases in terms of Section 15 of the Administrative Tribunals Act, 1985 would be the Karnataka State Administrative Tribunal.

2. The prayer sought in the writ petition is as follows:

- A. Issue a writ in the nature of certiorari quashing the recruitment notification bearing No. Sa. Ni. Ka/Ee1/Prou.Sha.Shi.Ne/ViVa-10/2026-27 dated 11.08.2026 issued by respondent No.1 vide Annexure-J, Karnataka Education Department Service Rules, 2026 vide Annexure-Q insofar as the petitioners are concerned.
- B. Declare that the failure of the respondents to consider the existing requirement and vacancies of Urdu-medium teachers as well as other linguistic minority teachers while undertaking the recruitment of 15,000 teachers is arbitrary and violative of Articles 14, 21A, and 29(1) of the Constitution of India.



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- C. Issue a writ in the nature of mandamus directing the respondents to consider the representation submitted by the petitioner No.5 to the office of respondent No.2, 4 and 5, dated 18.8.2026 vide Annexure-H.
- D. Issue a writ of mandamus or any other appropriate writ, order or direction directing the respondents to undertake and place on record a proper assessment of the sanctioned strength, working strength and existing vacancies of teachers in Urdu-medium government and other linguistic medium schools in the State of Karnataka.
- E. Issue a writ in the nature of mandamus directing the respondents to include Urdu and other linguistic medium teacher posts in the recruitment process of teachers for the Academic Year 2026-27 after taking into consideration the existing vacancies and requirement of Urdu and other linguistic medium schools.
- F. Issue a writ in the nature of mandamus directing the respondents to produce before this Hon'ble Court the material/basis on which the proposed 15,000 posts have been identified and allocated.
- G. Grant such other and further relief as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case, in the interest of justice.

3. The learned Senior Counsel Sri. Prashant Bhushan appearing for the appellants along with learned counsel Ms. Nisha Tiwari would submit that the appellants/petitioners would not pursue the first prayer and are wanting to withdraw the first prayer. The said submission is placed on record. With the withdrawal of the first prayer, the challenge to the recruitment



notification no longer subsists. In that light, all the other prayers that are sought can be agitated before the learned Single Judge in a petition filed under Article 226 of the Constitution of India, as it is not the recruitment notification but a mandamus that is sought to notify the vacancies or other incidental prayers.

4. In the light of the said submission, the learned Additional Advocate General, on instructions, would submit that the last date for filling up of the applications under the present recruitment notification also would be extended and the government is considering the fact of issuance of notification or amendment to the Rule to include Urdu and Marathi as well in the recruitment notification. The submission is placed on record.

5. In the light of the submissions of learned Senior Counsel for the appellants and learned Additional Advocate General Sri. J.M. Gangadhar, we deem it appropriate to dispose the subject appeal and remit the matter back to the hands of the learned Single Judge to consider the issue on its merit. All the developments that take place from today shall be placed before the government and before the learned Single Judge.



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6. In the light of aforesaid submissions of both learned counsels, the impugned order of the learned Single Judge is set-aside. The matter is remitted back to the hands of the learned Single Judge. All contentions would remain open to be urged before the concerned Court.

Accordingly, the writ appeal stands **disposed**.

**Sd/-
(M.NAGAPRASANNA)
JUDGE**

**Sd/-
(HEMA KULKARNI)
JUDGE**

JTR
CT: ASC
List No.: 1 Sl No.: 49