



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 27TH DAY OF MARCH, 2024**

BEFORE

**THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM
WRIT PETITION NO.10347 OF 2023 (S-RES)**

BETWEEN:

1. STATE BANK OF INDIA
LOCAL HEAD OFFICE
NO.65, ST. MARKS' ROAD
BENGALURU- 560 001
REP.BY ITS ASSISTANT GENERAL MANAGER (HR)

...PETITIONER

(BY SRI. T.P. MUTHANNA, ADV.,)

AND:

1. KARNATAKA STATE COMMISSION
FOR SCHEDULED CASTE AND
SCHEDULED TRIBES
NO.14/3, 2ND FLOOR, C.F.C. BUILDING
NRUPATHUNGA ROAD
BENGALURU- 560 001.
2. SRI. CHETANA SADASHIVA KAMBALE SEVANAGARA
TORAVI ROAD, NAVARASAPURA
VIJAYAPURA - 586108.

...RESPONDENTS

(BY SRI. V. SHIVA REDDY, AGA FOR R1
SRI. S. RAJASHEKAR, ADV., FOR R2)

THIS W.P. IS FILED UNDER ARTICLE 226 & 227 OF CONSTITUTION OF INDIA, PRAYING TO ISSUE WRIT IN THE NATURE OF CERTIORARI TO QUASH THE ORDER DTD 27/03/2023 ISSUED BY THE KARNATAKA STATE COMMISSION FOR SCHEDULED CASTE AND SCHEDULED TRIBES, BANGALORE, R-1 (ANNEXURE-A). GRANT AN INTERIM ORDER





TO STAY THE OPERATION OF THE ORDER DTD:27/03/2023 ISSUED BY THE R-1 (ANNEXURE-A).

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

The captioned writ petition is filed by the Bank assailing the recommendation made by 1st respondent - Commission as per Annexure-A thereby calling upon petitioner - Bank to provide employment to 2nd respondent on compassionate grounds.

2. Heard learned counsel for the petitioner and learned counsel for the respondent No.2. Perused the records.

3. The short point that falls for consideration before this Court is as to whether 1st respondent - Commission had jurisdiction to recommend and issue directions to the Bank to provide employment to 2nd respondent on compassionate grounds. The Apex Court and this Court in



catena of judgments have consistently held that the Commissions for Scheduled Castes and Scheduled Tribes have no jurisdiction to issue directions relating to service matters. The impugned recommendation / direction issued by 1st respondent - Commission as per Annexure-A is found to be in contravention of the law laid down by the Apex Court and this Court in W.P.No.26690/2023.

4. In the light of the dictum laid down by the Apex Court, impugned order being one without jurisdiction, is not sustainable and therefore, is liable to be set aside. For the foregoing reason, I proceed to pass the following:

ORDER

- (i) Writ petition is allowed.
- (ii) Impugned order dated 27.03.2023 passed by 1st respondent - Commission vide Annexure-A to the writ petition, is hereby quashed.



(iii) However, it is made clear that this order shall not come in the way of 2nd respondent in making proper requisition requesting for employment on compassionate grounds.

5. In view of disposal of the petition, pending interlocutory application does not survive for consideration and is accordingly disposed of.

Sd/-
JUDGE

RV
List No.: 1 Sl No.: 2