IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 7TH DAY OF MARCH, 2025

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

WRIT PETITION NO. 200583 OF 2025 (GM-CON)

BETWEEN:

1. SMT. VIYDA BABURAO MUTALIK DESAI
C/O R B MUTALIK DESAI,
AGED ABOUT 60 YEARS,
R/AT: AJAREKAR CHAWL,
MINAXI CHOWK,
R/O: VIJAYAPURA – 586 101.

2. SMT. KAVITHA MANIKRAO
D/O MANIKARAO,
AGED ABIYT 53 YEARS,
R/AT: HOUSE NO.17-5-560/3,
SRINAGAR COLONY, ADITYA COLONY,
ADITYA NAGAR SINDOL,
NEAR KALYAN MANTAP,
BIDAR – 585 4033.

Digitally signed by SHIVAKUMAR HIREMATH
Location: HIGH COURT OF KARNATAKA

3. SMT. MALATI GURANNA
D/O GURANNA,
AGED ABOUT 49 YEARS,
R/AT: AKROSH WATER SERVICING,
SEDAM ROAD, OPPOSITE UNIVERSITY,
KALABURAGI – 585 106.

4. PRABHUDEV PATIL K
S/O MAHADEVAPPA PATIL,
AGED ABOUT 52 YEARS,
R/AT: H.NO.1-4-155/116,
NEAR WATER TANK, JYOTHI COLONY,

I.B. ROAD, RAICHUR, RAICHUR – 584 101.

5. SMT. FARHEENA BEGUM
W/O HUMAYUN BASHA,
AGED ABOUT 43 YEAS,
NO.12-11-189/1, OPP: P.W.D. OFFICE,
ARAB MOHALLA, RAICHUR – 584 101.

…PETITIONERS

(BY SRI MADHUKAR DESHPANDE, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS CHIEF SECRETARY
VIDHANA SOUDHA,
DR. B.R.AMBEDKAR VEEDHI
BENGALURU – 560 001.

2. STATE OF KARNATAKA
FOOD, CIVIL SUPPLIES AND
CONSUMER AFFAIRS DEPARTMENT
VIDHANA SOUDHA,
DR. B.R.AMBEDKAR VEEDHI,
BENGALURU – 560 001.
REPRESENTED BY ITS SECRETARY.

3. THE REGISTRAR AND ADMINISTRATIVE OFFICER
KARNATAKA STATE CONSUMER DISPUTES
REDRESSAL COMMISSION,
BASAVA BHAVAN, BASWESHWAR CIRCLE,
HIGH GROUNDS, BENGALURU – 560 001.

…RESPONDENTS

(BY SRI MALLIKARJUN SAHUKAR, A.G.A FOR R1 TO 3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT IN NATURE OF MANDAMUS DIRECTING THE RESPONDENTS TO CONSIDER THE REPRESENTATION SUBMITTED BY THE PETITIONERS TO THE RESPONDENTS

DATED 01.02.2025 (ANNEXURE-A AND B) AND PASS APPROPRIATE ORDER IN ACCORDANCE WITH LAW AND ETC.

THIS WRIT PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

(PER: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE)

1. Learned Additional Government Advocate accepts notice on behalf of respondent No.3.

2. Heard the learned counsel for the petitioners, as well as the learned Additional Government Advocate appearing for the respondents.

3. This petition is filed seeking writ of mandamus to direct the respondents to consider the representation submitted by the petitioners which are marked at Annexures-A and B. In terms of the aforementioned representations dated 01.02.2025, the petitioners are requested to continue for second term as members of the District Consumer Forum.

4. Learned counsel for the petitioners submits that, in terms of order dated 03.03.2025 in Writ Petition No.6232/2025, the co-ordinate Bench of this Court has directed for continuation of the petitioners pending consideration of the decision to be taken by the Selection Committee constituted for the purpose of filling the members of Consumer Forum.

5. Learned Additional Government Advocate appearing for the respondents, does not dispute the submission made by the learned counsel for the petitioners and also the tenor of the order dated 03.03.2025.

6. It is further noticed that, the co-ordinate Bench of this Court has also held that, the continuation is permissible provided, the petitioners are below 65 years of age.

7. There is no dispute that the petitioners are also similarly placed and aged below 65 years. Under these circumstances, the respondents are directed to continue the services of the petitioners till Selection Committee makes

appropriate recommendation regarding vacancies to be filled in the District Consumer Forum. Hence, the following order:

ORDER

The petitioners shall continue in the District Consumer Forums, where they have been appointed earlier till the Selection Committee takes a decision for filing up the vacancies in the District Consumer Forums.

It is further directed that, the respondent No.3 shall consider the representation of the petitioners referred to above, in accordance with law.

Accordingly, the writ petition is disposed of.

Sd/-
(ANANT RAMANATH HEGDE)
JUDGE

SVH
List No.: 2 Sl No.: 7