



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

DATED THIS THE 5TH DAY OF JUNE, 2025

PRESENT

THE HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

AND

THE HON'BLE Mrs JUSTICE K S HEMALEKHA

WRIT APPEAL NO. 200087 OF 2024 (S-RES)

C/W

WRIT APPEAL NO. 200080 OF 2024

IN WA NO.200087/2024

BETWEEN:

SRI.FAKEERAPPA
S/O.MATHYAREPPA,
AGED ABOUT 35 YEARS
OCC: NILL,
R/O TORANADINNI, TQ. MANVI,
DISTRICT RAICHUR-584 120.

...PETITIONER

(BY SRI. MAHESH PATIL,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF SOCIAL WELFARE
M S BUILDING, BENGALURU-560001.
2. THE EXECUTIVE DIRECTOR
KARNATAKA RESIDENTIAL EDUCATIONAL



INSTITUTION SOCIETY,
(A SOCIETY REGISTERED UNDER THE
SOCIETIES REGISTRATION ACT)
AN ORGANIZATION OF SOCIAL WELFARE
DEPARTMENT NO.8 MSB-1 6TH AND 7TH
FLOOR CUNNINGHAM ROAD
BANGALORE-5600052.

3. THE KARNATAKA PUBLIC SERVICE
COMMISSION,
REPRESENTED BY ITS SECRETARY
UDYOG SOUDHA PALACE ROAD
BENGALORE-560001.
4. SUBBANNA S S/O KNOWN
AGED ABOUT 30 YEARS
OCC: NIL,
RESIDING AT GOLA LINGAMMAHALLI VILLAGE
AND POST SANDUR TALUKA,
BELLARI DISTRICT - 583112.
5. BABU
S/O TUKARAM
AGED ABOUT 35 YEARS
OCC: NIL
AT: POST: DESAI KALLUR
TQ: AFZALPUR
DIST: KALABURAGI-585301.
6. JADEPPA H
S/O SANNAFAKKERAPPA
AGED ABOUT 46 YEARS
OCC: NIL
NO. 15 GONAL VILLAGE,
SUGGENAHALLI POST, BELLARY DIST:
HOSPETE TALUKA BELLARY-583129.
7. SHIVARAJ DEVAPPA
S/O NOT KNOWN
AGED ABOUT 35 YEARS
OCC: NIL, DANDAMBALLI #4-9



BUDDHA NAGAR BIRANUR
TQ: SHAHAPUR
DIST: YADGIRI-585304.

8. SANTOSH KUMAR B
S/O NOT KNOWN
AGED ABOUT 42 YEARS
OCC: NIL, H NO.127 FIRST FLOOR
SUVARNAKAMALA
OPP: CADA OFFICE, MALAVAGOPPA
SHIVAMOGGA -577222.

9. SANTOSHKUMAR
S/O NOT KNOW
AGED ABOUT 36 YEARS
OCC: NIL
PLOT NO. 61 SHIVA NILAYA,
SAI LAYOUT, SHAKTI NAGAR
KALABURAGI-585103.

...RESPONDENTS

(BY SRI.MALLIKARJUN C BASAREDDY, GA FOR R1;
SRI. KURPA SAGAR PATIL, ADVOCATE FOR R2;
SRI.R J BHUSARE, ADVOCATE FOR R3;
SRI. SANTOSH B. PATIL, ADV. FOR R4 TO R9)

THIS WRIT APPEAL FILED U/SEC.4 OF THE KARNATAKA
HIGH COURT ACT, 1961, PRAYING TO A) CALL FOR THE
RECORDS IN WRIT PETITION NO.202012/2021 (S-RES) ON
THE FILE OF LEARNED SINGLE JUDGE OF THIS HON'BLE
COURT. B) SET ASIDE THE ORDER IMPUGNED DATED
20.09.2023 PASSED IN WRIT PETITION NO.202012/2021 (S-
RES) IN SO FAR AS CONCERNING HIM AND ALLOW HIS
PETITION.

IN WA NO.200080/2024

BETWEEN:

SRI.SHIVKUMAR
S/O :MARUTHI



AGED ABOUT 35 YEARS
OCC; NIL, R/O VITHALPUR POST MEENKERA
TQ : CHITGUPPA, DIST: BIDAR- 585227.
NOW AT R/O MEENKERA TQ. CHITGUPPA
DIST: BIDAR-585 227.

...PETITIONER

(BY SRI. MAHESH PATIL, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF SOCIAL WELFARE
M S BUILDING, BENGALURU-560001.
2. THE EXECUTIVE DIRECTOR
KARNATAKA RESIDENTIAL EDUCATIONAL
INSTITUTION SOCIETY
(A SOCIETY REGISTERED UNDER THE SOCIETIES
REGISTRATION ACT)
AN ORGANIZATION OF SOCIAL WELFARE
DEPARTMENT, NO.8,
MSB-1 6TH AND 7TH FLOOR
CUNNINGHAM ROAD,
BANGALORE-560052.
3. THE KARNATAKA PUBLIC SERVICE COMMISSION
REPRESENTED BY ITS SECRETARY
UDYOG SOUDHA, PALACE ROAD
BENGALORE-560001.
4. NAGARAJ
AGED ABOUT 32 YEARS
OCC: NIL
R/O. NAGARAGUNDA
TQ: DEVADURGA, DIST: RAICHUR-584111.
5. SHIVAPPA
AGED ABOUT 32 YEARS
OCC: NILL, AT: POST :GANGANUR
TQ :AFZALPUR , DIST:KALABURAGI-585 265.



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WA No. 200087 of 2024
C/W WA No. 200080 of 2024**

6. DEVINDRA MIJEJI
AGED ABOUT 31 YEARS
OCC: NILL, R/O. AT: POST : JAWAKAGA (B)
DIST: KALABURAGI-585308.
7. MAHANTESH GHANUR
AGED ABOUT 35 YEARS
JR. COLLEGE OF SCIENCE
SHORAPUR, DIST: YADGIRI-585215.
8. SURYAKANTH
S/O HANUMANTH
AGED ABOUT 34 YEARS
AT :KUTNOOR,
POST: KAWALAGARGA, TQ. JEWARGI,
DIST:KALABURAGI- 585310.

...RESPONDENTS

(BY SRI. MALLIKARJUN C. BASAREDDY, GA FOR R1;
SRI.KRUPA SAGAR PATIL, ADVOCATE FOR R2;
SRI.R J BHUSARE, ADVOCATE FOR R3;
SRI.SANTOSH B. PATIL, ADVOCATE FOR R4 TO R8)

THIS WRIT APPEAL IS FILED U/SEC. 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO A) CALL FOR THE RECORDS IN WRIT PETITION NO. 201999/2021 (S-RES) ON THE FILE OF LEARNED SINGLE JUDGE OF THIS HON'BLE COURT. B) SET ASIDE THE ORDER IMPUGNED DATED 20.09.2023 PASSED IN WRIT PETITION NO.201999/2021 (S-RES) IN SO FAR AS CONCERNING HIM AND ALLOW HIS PETITION.

THESE APPEALS ARE COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE MOHAMMAD NAWAZ
AND
HON'BLE Mrs JUSTICE K S HEMALEKHA



ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE MOHAMMAD NAWAZ)

These appeals are directed against the common order dated 20.09.2023 passed by the learned Single Judge in W.P No.202012/2021 connected with W.P No.201999/2021.

2. We have heard the learned counsel appearing for the appellants and the respondents.

3. Assailing the final selection list notification dated 23.09.2021 issued by the Karnataka Public Service Commission (KPSC) and selecting certain candidates to the post of Social Science Teacher, the appellants herein preferred the above noted writ petitions seeking their appointments to the post of Social Science Teacher in terms of the notification dated 23.06.2017. The grievance of the appellants was that their names were not included in the provisional selection list dated 22.06.2021 notified by the KPSC and even though filed objections to the provisional list, final selection list notifying the selection of private respondents was issued by the KPSC on 23.09.2021, though they are not qualified to be appointed to the post in terms of the notification dated 23.06.2017.



4. The contention of the learned counsel for the appellants is that, though these appellants have passed the relevant degree in the medium of Kannada and they were short listed, their case was not considered, whereas other private respondents whose case was similar to the appellants herein was considered, while issuing final selection list. It is his further contention that the respondent-authority has appointed private candidates though they have studied in the medium of Kannada, which is contrary to the notification issued by the respondent-KPSC.

5. Per contra, the learned counsels appearing for the respective respondents would contend that only after verification of the documents, the selection process was completed and as per the competent university, the medium of instructions is in English and therefore, the learned Single Judge has rightly did not consider the prayer of the appellants as they did not possess degree in the medium of instructions in English.

6. Perusal of the order passed by the learned Single Judge goes to show that, relying on the judgments of the



Hon'ble Apex Court in the case of ***Umesh Chandra Shukla Vs. Union of India and others*** reported in ***(1985) 3 SCC 721*** and ***K.V. Panduranga Rao Vs. Karnataka Dairy Development Corporation, Bangalore and others*** reported in ***1997 (2) Kar. L.J. 477*** and considering the case of the appellants herein extensively, the learned Single Judge disposed of the matter, observing that KPSC being an agency to conduct the selection process must strictly follow the notification dated 23.06.2017 (annexed to the writ petition), wherein, it is stated that the candidates must possess degree in the medium of instructions in English.

7. It is not disputed that the appellants do not possess degree in medium of instructions in English. As a contention was raised before the learned Single Judge that the medium of instructions of respondent No.6 in W.P No.202012/2021 is Kannada and therefore, same would be contrary with regard to the certificate issued by the Vijayanagara University, the learned Single Judge issued a direction to respondent Nos.2 and 3 to strictly scrutinize the documents produced by the respective candidates and appoint them in accordance with law, taking into consideration that the candidates whose names find



place in the provisional list shall possess degree in the medium of instructions in English. Further, the said respondents were directed to re-do the process of selection in terms of the observations made therein, so as to ensure that the private respondents shall possess degree in the medium of instructions in English.

8. Further, pursuant to the order passed by this Court in these appeals, directing respondent Nos.4 to 9 to file affidavits and place their credentials for having completed their graduation course in English medium, respondent Nos.4 to 9 have filed their respective affidavits.

9. It is brought to the notice of the Court that, pursuant to the order passed by the learned Single Judge, directing to re-do the process of selection in terms of the observations made therein, the entire selection process has been re-done and to that effect, an order has been passed and communication has been issued to respondent No.3-KPSC.

10. If the appellants have any further grievance, it is always open for them to challenge the same, in accordance with law, if so advised.



**NC: 2025:KHC-K:2853-DB
WA No. 200087 of 2024
C/W WA No. 200080 of 2024**

11. With above observations, the appeals are
dismissed.

**Sd/-
(MOHAMMAD NAWAZ)
JUDGE**

**Sd/-
(K S HEMALEKHA)
JUDGE**

THM,TMP
List No.: 1 Sl No.: 4