

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

DATED THIS THE 30TH DAY OF NOVEMBER, 2015

BEFORE

THE HON'BLE MR. JUSTICE A.S. BOPANNA

WRIT PETITION Nos.204860-861/2015 (S-RES)

Between:

Smt. Jagadevi W/o S. Hiremath
Age: 47 years
Occ: Associate Professor
MSI Degree College
Iwan-E-Shahi, Kalaburagi – 585 102

.... Petitioner

(By Sri R.J. Bhusare, Advocate)

And:

1. The State of Karnataka
Department of Collegiate Education
Vidhan Soudh, Bangalore – 01
Represented by its Secretary
2. The Commissioner
For Collegiate Education
Palace Road, Bangalore – 560 001
3. Regional Joint Director
Department of Collegiate Education
Mini Vidhan Soudha
Kalaburagi – 585 102

.... Respondents

(By Smt. Archana P. Tiwari, AGA)

These Writ Petitions are filed under Articles 226 and 227 of the Constitution of India praying to allow these writ petitions and issue a writ of certiorari or any other appropriate writ of Order or direction to quash the Order/Communication dated 24.02.2014 bearing No. ಕಾಶಿಇ/12/ಯುಜಿಸಿವೇತನಶ್ರೇ/2013-14/ಬಸ್ಕಾಪಿ issued by the 2nd respondent produced at Annexure-A, etc.

These Writ Petitions coming on for Preliminary Hearing this day, the Court made the following:

ORDER

The learned Additional Government Advocate to accept notice for respondent Nos.1 to 3 and file memo of appearance in four weeks.

2. As against the orders impugned in these petitions, the petitioner has an alternative remedy of filing of an appeal under Section 130 of the Educational Act, 1983. The petitioner is therefore granted liberty of availing his appellate remedy.

3. Since this Court is now relegating the petitioner to alternate remedy, the respondents shall not precipitate the matter until the appeal is filed, if such an appeal is

filed by the petitioner within three weeks from the date of receipt of a copy of this order.

4. Thereafter any interim order shall be guided by the consideration to be made by the appellate authority.

The petitions stand disposed of accordingly.

**Sd/-
JUDGE**

NB*