

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF DECEMBER 2015

BEFORE

THE HON'BLE MR. JUSTICE ANAND BYRAREDDY

W.P.NO. 58853/2015 c/w W.P.NO.58851/2015(S-RES)

W.P.NO.58853/2015

BETWEEN:

Sri. Venkatesh. V.
W/o. Sri. Venkatagiriappa,
Aged about 46 years,
u-12, 6th Cross, Dayanandanagar,
Srirampura,
Bangalore-560 021.

... PETITIONER

(By Sri. M.S. Parthasarathi, Advocate)

AND:

1.The State of Karnataka
By its Secretary to Government,
Law and Parliamentary Affairs,
Vidhana Soudha, Vidhana Veedhi,
Bangalore-560 001.

2.The Commissioner,
Collegiate Education Department,
Palace Road,
Bangalore-560 001.

3.The Director of Collegiate Education,
Palace Road, Bangalore-560 001.

4.The Regional Joint Director of Collegiate Education, Palace Road, Bangalore-560 001.

5.Janatha Education Society (Vivekananda College Premises), Dr. Rajkumar Road, Rajajinagar II Stage, Bangalore-560 055, By its Secretary.

6.Vivekananda College of Law, No.12/1, 3rd Cross, Maruthi Extension, Gayathrinagar, Bangalore-560 021. By its Principal.

7.Sri.C. N. Rajanna, Second Division Assistant, presently working at Vivekananda Institute of Technology, Kumbalgud, Bangalore-560 074.

8.Smt. B.K. Anasuyamma To be served through Principal, Vivekananda college of law, No.12/1, 3rd cross, Maruthi extension, Gayathrinagar, Bangalore-560 021.

... RESPONDENTS

(By Shri. H. Venkatesh Dodderi, AGA for R1- R4, Shri. P.B. Ajit, Advocate for R5 – R7)

W.P.NO.58851/2015

BETWEEN:

Sri. M.N.Sudhakar, S/o Late N. Lingaiah,

Aged about 51 years, R/at No. 7.
6th Cross, Hosakerehalli,
Ganapathinagar, Bangalore – 560 026.

... PETITIONER

(By Sri. M.S. Parthasarathi, Advocate)

AND:

1. The State of Karnataka,
By its Secretary to Government,
Law and Parliamentary Affairs,
Vidhana Soudha, Vidhana Veedhi,
Bangalore-560 001.

2. The Commissioner,
Collegiate Education Department,
Palace Road, Bangalore-560 001.

3. The Director of Collegiate Education,
Palace Road, Bangalore-560 001.

4. The Regional Joint Director of Collegiate Education, Palace Road,
Bangalore-560 001.

5. Janatha Education Society
(Vivekananda College Premises),
Dr. Rajkumar Road,
Rajajinagar II Stage,
Bangalore-560 055,
By its Secretary.

6. Vivekananda College of Law,
No.12/1, 3rd Cross,
Maruthi Extension, Gayathrinagar,
Bangalore-560 021.
By its Principal.

7. Sri. Kumar. M,

Physical Education Director,
Vivekananda College of Law,
No.12/1, 3rd Cross,
Maruthi Extension, Gayathrinagar,
Bangalore-560 021.

... RESPONDENTS

(By Shri. H. Venkatesh Dodderi, AGA for R1- R4,
Shri. P.B. Ajit, Advocate for R5 – R7)

W.P. No.58853/ 2015 is filed under Articles 226 and 227 of the Constitution of India praying to quash the order dated 18.6.2014 passed by R-1 on revision petition No.03/2013 and connected matters vide Annexure -AF insofar as the petitioner is concerned etc.

W.P.No. 58851/2015 is filed under Articles 226 and 227 of the Constitution of India praying to quash the order dated 18.6.2014 passed by R-1 on revision petition No.04/2013 and connected matters vide Annexure -P insofar as the petitioner is concerned etc.

These petitions are coming on for preliminary hearing in "B" Group this day, the Court made the following:-

ORDER

The present petitions are opposed on the ground that the petitioners ought to have filed a revision petition against the impugned order, whereas respondents insist that it is an appealable order.

2. The petitioners are at liberty to prefer an appeal as claimed by the respondents. Such an appeal shall be considered expeditiously, having regard to the facts and circumstances of the case.

3. As the present petitions are filed without challenging any order, it is now open to the petitioners to challenge the order by which they are aggrieved.

4. With the aforesaid observation, the petitions are disposed of.

The learned Government Advocate is permitted to file his memo of appearance within two weeks.

**Sd/-
JUDGE**

Msu