

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF APRIL, 2018

BEFORE

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

WRIT PETITION Nos.24643-24644/2015 (S-PRO)

BETWEEN:

1. SRI B.G. NAGANAGOWDA
S/O. B.G. DAYANANDAPPA,
A/A 42 YEARS,
JUNIOR ASSISTANT,
DAVANAGERE UNIVERSITY,
SHIVAGANGOTRI,
DAVANAGERE DISTRICT-577 002.
2. SRI B.M. MANJUNATH
S/O. MAHALINGAPPA,
A/A 45 YEARS,
JUNIOR ASSISTANT,
DAVANAGERE UNIVERSITY,
SHIVAGANGOTRI,
DAVANAGERE DISTRICT-577 002. ...PETITIONERS

(BY SRI.MEGHACHANDRA D.N., ADV.)

AND:

1. STATE OF KARNATAKA
DEPARTMENT OF HIGHER EDUCATION,
M.S. BUILDING,
AMBEDKAR VEEDHI,
BANGALORE-560 001.
REP. BY ITS PRINCIPAL SECRETARY.
2. DAVANAGERE UNIVERSITY
SHIVAGANGOTRI,
DAVANAGERE DISTRICT-577 002.
REP. BY ITS REGISTRAR.
3. THE SYNDICATE,
DAVANAGERE UNIVERSITY,

SHIVAGANGOTRI,
DAVANAGERE DISTRICT-577 002.

4. KUVEMPU UNIVERSITY,
JNANA SAHYADRI,
SHANKARGHATTA,
BHADRAVATHI TALUK,
SHIMOGA DISTRICT-577 451
REP. BY ITS REGISTRAR.
5. SRI DURGAPPA.A.K
A/A MAJOR,
FIRST DIVISION ASSISTANT,
DAVANAGERE UNIVERSITY,
SHIVAGANGOTRI,
DAVANAGERE DISTRICT-577 002.
6. SRI HALETHIMAPPA.P.T
A/A MAJOR,
FIRST DIVISION ASSISTANT,
DAVANAGERE UNIVERSITY,
SHIVAGANGOTRI,
DAVANAGERE DISTRICT-577 002.
7. SRI SATHYANARAYANA M.H.
A/A MAJOR,
FIRST DIVISION ASSISTANT,
DAVANAGERE UNIVERSITY,
SHIVAGANGOTRI,
DAVANAGERE DISTRICT-577 002.
8. SRI NANJAPPA K.M.
A/A MAJOR,
FIRST DIVISION ASSISTANT,
DAVANAGERE UNIVERSITY,
SHIVAGANGOTRI,
DAVANAGERE DISTRICT-577 002.
9. SRI RANGASWAMY R.L.
A/A MAJOR,
FIRST DIVISION ASSISTANT,
DAVANAGERE UNIVERSITY,
SHIVAGANGOTRI,
DAVANAGERE DISTRICT-577 002.
10. SRI DEVARAJ G.N.
A/A MAJOR,
FIRST DIVISION ASSISTANT,

DAVANAGERE UNIVERSITY,
SHIVAGANGOTRI,
DAVANAGERE DISTRICT-577 002. ...RESPONDENTS

(BY SRI A.C. BALARAJ, HCGP FOR R1;
SRI SANTHOSH S.NAGARALE, ADV. FOR R2;
SRI VARADARAJ R.HAVALDHAN, ADV. FOR R4;
R3, R5, R6, R8, R9 & R10 ARE SERVED)

THESE WRIT PETITIONS ARE FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER DATED 18.05.2015 PASSED BY THE R-2 ILLEGALLY DEMOTING THE PETITIONERS VIOLATING THE PRINCIPLES OF NATURAL JUSTICE VIDE ANN-A AND ETC.

THESE WRIT PETITIONS COMING ON FOR ORDERS THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Though the petitions are listed in 'Orders' and the rectification of office objection on the objection statement is to be complied, keeping in view the memo filed by the learned counsel for the petitioners, the petitions are taken up for consideration with the consent of learned counsel for the parties and disposed of by this order.

2. Learned Government Advocate to accept notice for respondent No.1 and file memo of appearance in four weeks.

3. The petitioners are assailing the order dated 18.05.2015 claiming to be aggrieved by the demotion in

the seniority list. Along with the memo, the learned counsel for the petitioners has produced the revised seniority list dated 15.04.2015 and the learned counsel for the petitioners would submit that, in the said list, the position of the petitioners has been restored and therefore, the grievance does not subsist at this stage, if a consideration as per the seniority list is made by the respondents. In that view of the matter, since the grievance at this point does not survive and since in any event, the representation as submitted by the petitioners is pending before the respondents, the respondents now shall take note of the subsequent development and in that light, consider the case of the petitioners in terms of the seniority list which is stated to have restored the position of the petitioners. If at all the petitioners have any grievance in future, to that extent, liberty is reserved to the petitioners.

In terms of the above, these petitions stand ***disposed*** of.

**Sd/-
JUDGE**

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