

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

DATED THIS THE 29TH DAY OF JULY, 2022

BEFORE

THE HON'BLE MR. JUSTICE H.T.NARENDRA PRASAD

WRIT PETITION No.201741/2022 (S-TR)

BETWEEN:

ABHAYKUMAR
S/O ISHWAR RAO,
AGE 40 YEARS, COMMISSIONER
BIDAR URBAN DEVELOPMENT
AUTHORITY,
BIDAR - 585401.

... PETITIONER

(BY SRI SACHIN M. MAHAJAN, ADVOCATE)

AND:

1. STATE OF KARNATAKA
REPRESENTED BY ITS SECRETARY
URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKAS SOUDHA
BENGALURU - 560001.
2. THE UNDER SECRETARY
URBAN DEVELOPMENT DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKAS SOUDHA
BENGALURU - 560001.

3. THE DEPUTY COMMISSIONER
BIDAR - 585401.

... RESPONDENTS

(BY SRI SHARANABASAPPA M. PATIL, HCGP)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OR ORDER OR DIRECTION IN THE NATURE OF CERTIORARI AND QUASH THE IMPUGNED ORDER BEARING NO. NA AA E 230 GU AA PRA 2020 (E-KADATA), DATED 30.06.2022 ISSUED BY THE RESPONDENT NO. 2 VIDE ANNEXURE- C,

THIS PETITION COMING ON FOR ORDERS THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

In this writ petition, the petitioner has sought for order of repatriation dated 30.06.2022 passed by the respondent No.2 vide Annexure-C.

2. At the outset, learned High Court Government Pleader appearing for the State submits that under Section 12 of the Karnataka Urban Development Authorities Act, 1987, the Government shall appoint the officer not below

the rank of Group-A officer to be the Commissioner for the Authority. Since the petitioner is a Government servant holding a civil post under the State, he has to approach the Karnataka Service Administrative Tribunal for redressal of his grievance.

3. In view of the above, without expressing any opinion on the merits of the case, the writ petition is dismissed reserving liberty to the petitioner to approach the appropriate legal forum.

In view of disposal of the main petition, I.A.No.2/2022 does not survive for consideration and accordingly, the same stands disposed of.

**Sd/-
JUDGE**

VNR