HC-KAR

NC: 2026:KHC:53401
WP No. 3701 of 2026

CNR: KAHC010084402026

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 25TH DAY OF SEPTEMBER, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE M.NAGAPRASANNA**

**WRIT PETITION NO. 3701 OF 2026 (S-RES)**

**BETWEEN:**

1. SRI T THAMMANNA,
S/O LATE NAYAKANAHATTI THIPPAIAH,
AGED ABOUT 50 YEARS,
R/AT NANNIVALA POST, CHALLAKERE TALUK,
CHITRADURGA DISTRICT-577 522.

2. SRI L S SHESHACHALA,
SON OF LATE SHIVARAMU,
AGED ABOUT 55 YEARS,
R/AT NANNIVALA POST, CHALLAKERE TALUK,
CHITRADURGA DISTRICT-577522.

3. SRI T SHANTHA KUMAR,
SON OF THIPPANNA,
AGED ABOUT 46 YEARS,
R/AT CHIKKAMADHURE, HIREMADHURE
POST, CHALLAKERE TALUK,
CHITRADURGA DISTRICT-577538.

4. SRI H M JAYANNA,
S/O MARLAPPA,
AGED ABOUT-50 YEARS,
R/AT PURLA HALLI, CHANNAMMANAGATHAHALLI
POST, CHALLAKERE TALUK,
CHITRADURGA DISTRICT-577539.

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Location: High Court of Karnataka

5. SRI M JAYANNA,
S/O MARLAPPA,
AGED ABOUT 50 YEARS,
R/AT HOTTAPPANAHALLI POST,
CHALLAKERE TALUK,
CHITRADURGA DISTRICT-577538.

6. SRI D PRAKASH,
SON OF DURGAPPA,
AGED ABOUT 47 YEARS,
R/AT MALLURHALLI VILLAGE,
GOWDAGERE POST, CHALLAKERE TALUK,
CHITRDURGA DISTRICT-577522.

7. SRI K O JAYANNA,
SON OF K.V.OBANIYAKA,
AGED ABOUT 55 YEARS,
R/AT DODDA ULLARTHI POST,
CHALLAKERE TALUK,
CHITRADURGA DISTRICT-577538.

8. SRI B SANNAPPA,
SON OF MADIVALARA BHEEMAPPA,
AGED ABOUT 50 YEARS,
R/AT KATAMADEVARAKOTE POST,
CHALLAKERE TALUK,
CHITRADURGA DISTRICT-577537.

9. SRI HONNUR SWAMY T,
SON OF THIPPESWAMY,
AGED ABOUT 46 YEARS,
R/AT KARIKERE POST, CHALLAKERE TALUK,
CHITRADURGA DISTRICT.-577522.

10. SRI R NAGESH,
SON OF RANGAPPA,
AGED ABOUT 33 YEARS,
R/AT NELAGUNTHANAHALLI POST,
CHALLAKERE TALUK,
CHITRADURGA DISTRICT-577538.

11. SRI PRASANNA.T. H,
SON OF PATEL VARAKERAPPA,
AGED ABOUT 50 YEARS,
R/AT THOREBEERANAHALLI,
BELAGERE POST, CHALLAKERE TALUK,
CHITRDURGA DISTRICT-577538.

12. SRI THIMMARAJU G,
SON OF GOVINDARAYA,
AGED ABOUT 46 YEARS,
R/AT P.MAHADEVAPURA POST,
CHALLAKERE TALUK,
CHITRADURGA DISTRICT-577522.

13. SRI H ESHWARA,
S/O HANUMANTHARAYA,
AGED ABOUT 45 YEARS,
R/AT DEVARAMARIKUNTEE POST,
CHALLAKERE TALUK,
CHITRADURGA DISTRICT-577522.

14. SRI H HONNESHI,
S/O HONNAPPA,
AGED ABOUT 47 YEARS,
R/AT PURLAHALLI VILLAGE,
CHANNAMMANAGATHEHALLI POST,
CHALLAKERE TALUK,

CHITRDURGA DISTRICT-577538.

15. SRI T BASAVARAJ,
S/O B.V.THIPPESWAMY,
AGED ABOUT 42 YEARS,
R/AT N. DEVARAHALLI POST,
CHALLAKERE TALUK,
CHITRADURGA DISTRICT-577536.

16. S T PRABHU PRASAD,
S/O THIMMA REDDY,
AGED ABOUT 54 YEARS,
R/AT JAGALURU VILLAGE AND POST,
JAGALUR TALUK, DAVANAGERE DISTRICT.

17. G S DEVARAJ GOWDA,
S/O SANNATAMMA GOWDA,
AGED ABOUT 51 YEARS,
HOSAKERE GRAMA PANCHAYATH,
JAGALUR TALUK, DAVANAGERE DISTRICT.

…PETITIONERS

(BY SRI SUBRAHMANYA BHAT M, ADVOCATE)

**AND:**

1. STATE OF KARNATAKA,
DEPARTMENT OF ENERGY,
VIDYUTH SOUDHA,
DR AMBEDKAR VEEDHI,
BANGALORE-01,
BY THE PRINCIPAL SECRETARY.

2. KARNATAKA POWER TRANSMISSION
CORPORATION LIMITED,

KAVERY BHAVAN, BANGALORE-01,
BY THE MANAGING DIRECTOR.

3. BANGALORE ELECTRICITY SUPPLY
COMPANY, KR CIRCLE,
BANGALORE-01,
BY THE MANAGING DIRECTOR.

4. CHIEF ENGINEER (ELEC),
OFFICE AND MAINTENANCE ZONE,
BESCOM, THURUVANUR ROAD,
BEHIND RTO OFFICE, CHITRADURGA.

5. THE SUPERINTENDING ENGINEER (ELECTRICAL),
O AND M CIRCLE, BESCOM,
DAVANAGERE-577002.

6. THE EXECUTIVE ENGINEER (ELECTRICAL),
BESCOM, HIRIYUR DIVISION,
CHITRADURGA DISTRICT-577501.

7. ASSISTANT EXECUTIVE ENGINEER (ELE),
BESCOM SUBDIVISION, CHALLEKERE,
CHITRADURGA DISTRICT-577522.

…RESPONDENTS

(BY SMT. RASHMI RAO, HCGP FOR R-1;
SRI B.L SANJEEV, ADVOCATE FOR R-2;
SRI B.B PATIL, ADVOCATE FOR R-3 TO R-7)

THIS WP IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TOCALL FOR THE ENTIRE RECORDS PERTAINING TO THE CASE OF THE PETITIONERS AND TO DIRECT THE RESPONDNETS TO REINSTATE THE PETITIONERS TO THEIR ORIGINAL POST WITH ALL THE

CONSEQUENTIAL BENEFITS AND ARREARS OF SALARY FROM THE DATE OF THE TERMINATION OF THEIR SERVICES TILL THE DATE OF REINSTATEMENT AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: **HON'BLE MR. JUSTICE M.NAGAPRASANNA**

**ORAL ORDER**

The petitioners, 17 in number, stand at the doors of this Court calling in question the official memoranda, all dated 02.05.2025, issued by respondent No.5, confirming the earlier orders of termination of their services.

2. Heard Sri Subrahmanya Bhat M., learned counsel for the petitioners, Smt. Rashmi Patel, learned High Court Government Pleader for respondent No.1, Sri B.L.Sanjeev, learned counsel for respondent No.2 and Sri B.B.Patil, learned counsel for respondent Nos.3 to 7.

3. Facts adumbrated, are as follows:

Respondent No.3 (hereinafter referred to as 'the BESCOM' for short), under the Grama Vidyut Prathinidhi Scheme

(hereinafter referred to as 'the Scheme' for short), formulated in terms of a policy decision of the State Government to provide employment to the rural youths in the year 2003, initiates the Scheme. The object of the Scheme was to carry out electricity meter reading and to collect revenue from the consumers at the village level. In furtherance of the Scheme, respondent No.2 invited applications from eligible candidates to the post of Micro Feeder Franchisees (hereinafter referred to as 'the MFFs' for short). After the selection process, the petitioners, along with several others, were appointed as MFFs. The appointees, including the petitioners, and the BESCOM entered into a memorandum of understanding (hereinafter referred to as 'MOU' for short) and thereafter, the pay was fixed accordingly. It is the averment in the petition that the services of the petitioners were extended every year by inserting certain terms and conditions in the MOU to the convenience of the BESCOM. The last of the MOUs entered into between them was on 02.07.2015. The nomenclature of MFFs comes to be changed to that of 'Grama Vidyuth Prathinidhi' (hereinafter referred to as 'GVP' for short). As a bolt from the

blue, the services of the petitioners come to be terminated. The termination of the services is called in question before this Court in W.P.Nos.44902-923/2015. A coordinate Bench of this Court partly allows the writ petitions, sets aside the orders of termination of the services and remits the matter to the competent authority to hold an enquiry into the allegations. Challenging the order passed in W.P.Nos.44902-923/2015, respondent No.3 – BESCOM prefers W.A.No.177/2021, which comes to be dismissed. In terms of the order passed in W.P.Nos.44902-923/2015, respondent No.5 issues notices to the petitioners for their appearance and enquiry. It is the allegation that without affording any opportunity to the petitioners, respondent No.5 upholds the earlier orders of termination of the petitioners. Petitioner No.1 files an appeal before respondent No.4 and the same comes to be returned in terms of the letter dated 13.06.2025. Challenging these orders of termination, the petitioners are before this Court in the subject petition.

4. Learned counsel for the petitioners submits that the earlier orders of termination are affirmed without conducting a

proper enquiry, as was directed by the learned Single Judge in W.P.Nos.44902-923/2015. It is his submission that the same is contrary to the order passed by this Court and also contrary to law. Therefore, he would seek that the impugned orders be set aside and the matter be remitted back to the hands of the respondents to hold a proper enquiry and pass necessary orders in accordance with law.

5. Sri B.L. Sanjeev, learned counsel for respondent No.2, would vehemently refute the submission but would not be in a position to dispute the fact that no enquiry was conducted against the petitioners prior to the passage of the orders of termination and that the orders of termination are only a reiteration of what was earlier done, i.e., termination of the services of the petitioners. He would leave the decision to the hands of this Court.

6. I have given my anxious consideration to the submissions made by the respective learned counsel for the parties and have perused the material on record.

7. The afore-narrated facts are not in dispute and are all a matter of record. They would not require any reiteration. It

would suffice if the narration of facts would commence from the order passed by the coordinate Bench in W.P.Nos.44902-923/2015 on 31.08.2020. The relevant portion of the said order reads as follows:

> "**(h) Stigmatic removal of GVPs & Non-renewal of so called 'service contracts' by issuing fresh MOU:**
>
> (i) In connected W.P.No.27417/2015 & W.P.No.44902/2015 the GVPs have laid a challenge to the punitive orders of their removal from service on the ground that the principles of natural justice have not been followed, much less any enquiry was conducted preceding such removal; a few of them have the grievance that because of some allegations that are not substantiated in enquiry or otherwise, have been discontinued from service there being no renewal of MOA; in support of their case, their learned Advocates bank upon the decisions of a Co-ordinate Bench of this Court granting relief to the similarly circumstanced GVPs who had suffered removal from service sans enquiry or non-renewal of MOU; they also press into service the doctrine of legitimate expectation; this assertion is not much controverted by the other side: however it is contended that the delinquent GVPs had misappropriated funds and were not punctual in the performance of their duties and therefore removal/non-removal of their engagement cannot be faltered;
>
> ( ii ) For employees in the lower rung of service, removal from job is a serious matter, atleast for those for whom, job is the only means to hold body and soul together, as is the case here: the act of snatching away the means of livelihood may amount to taking away the life itself and therefore it is a gross breach of fundamental right to life & liberty guaranteed under Article 21 of the Constitution vide OLGA TELLIS VS. BOMBAY MUNICIPAL CORPORATION (1985) 3 SCC 545; before punishing Adam & Eve, for their eating forbidden fruit, even God is said to have given an opportunity of hearing; that being the

sanctity of principles of natural justice which the Apex Court has read inter alia into Article 14, the impugned action is liable to be set aside reserving liberty to the concerned ESCOMs to hold enquiry in the matter in a time way.

In the above circumstances, these writ petitions are favoured in part:

i) A writ of certiorari issues quashing the impugned Govt. Orders whereby GVPs' claim for absorption/regularization and for the grant of wages in regular pay scales has been rejected:

ii) A writ of mandamus issues to the first respondent to frame a to the Fair Scheme for considering the claim of GVPs for regularization/absorption in service, keeping in view the High Level Committee Recommendations; the current services of the GVPs shall not be dispensed with except on the ground of proven delinquency or the like;

iii) A writ of mandamus issues to the respondents to identify the posts whose Job Chart substantially matches with the work being done by the GVPs and to pay them the wages in the minimum of the pay scales admissible to such posts, having in mind the Recommendations of High Level Committee and observations in Kollaiah Case, with effect from 02.10.2020, being the Jayanthi of Father of the Nation;

**iv) A writ of certiorari issues quashing the impugned termination orders in W.P.No.43037/2015 and in W.P.No.44902/2015, with liberty to hold disciplinary enquiry within eight weeks; if not found guilty, these petitioners shall be reinstated without any consequential benefits such as back wages, counting of service, etc.; and**

v) The respondent-Govt., KPTCL and the ESCOMS shall report compliance of above directions to the Registrar General of this Court within two weeks following the expiry of respective periods prescribed in the paragraphs, supra.

Now, no costs."

(Emphasis supplied)

In terms of the afore-quoted order, the respondents were directed to hold a disciplinary enquiry within a period of eight weeks and, if the petitioners were not found guilty, they shall be reinstated without any consequential benefits. The BESCOM challenged the afore-quoted order in W.A.Nos.177/2021 and connected matters, and a Division Bench of this Court dismissed the appeals in terms of its judgment dated 03.02.2025. It reads as follows:

> **"5. Having considered the contentions advanced and in view of the fact that the learned Single Judge had quashed the termination orders and directed the conduct of the enquiry and in view of the findings of paragraph 26 of the judgment dated 24.01.2025 in WA No.34/2021 and connected cases, we are of the opinion that the respondents would be entitled to the same relief. The writ appeals therefore fail. The same are accordingly dismissed. The directions of the learned Single judge in the judgments under appeal shall be given effect to at the earliest. Appropriate steps shall be taken within a period of four weeks from today."**
>
> (Emphasis supplied)

The afore-quoted judgment of the Division Bench affirms the order passed in W.P.Nos.44902-923/2015 and connected matters and unequivocally directs the respondents to hold a

disciplinary enquiry, as was directed in the afore-quoted order passed in the writ petitions.

8. Pursuant to the afore-quoted directions, the respondents issue notices, hold an enquiry and pass the impugned orders of termination. One of the orders reads as follows:

"ವಿಶ್ಲೇಷಣೆ:

ಶ್ರೀ ಟಿ.ತಮ್ಮಣ್ಣ ಬಿನ್ ನಾಯಕನಹಟ್ಟಿ ತಿಪ್ಪಯ್ಯ ಇವರು ಈ ಹಿಂದೆ ಬೆವಿಕಂ., ಹಿರಿಯೂರು ವಿಭಾಗ, ಚಳ್ಳಕೆರ ಉಪವಿಭಾಗದ ನಗರಂಗೆರೆ ಗ್ರಾಮ ಪಂಚಾಯಿತಿ ವ್ಯಾಪ್ತಿಯಲ್ಲಿ ಎಂ.ಓ.ಯು. ಒಪ್ಪಂದದನ್ವಯ ಎಂ.ಎಫ್.ಎಫ್ ಕೆಲಸಕ್ಕೆ ಆಯ್ಕೆಯಾಗಿ ಕಾರ್ಯನಿರ್ವಹಿಸಿದ್ದು, ಇವರನ್ನು ಎಂ.ಎಫ್.ಎಫ್./ಜಿ.ವಿ.ಪಿ. ಕೆಲಸದಿಂದ ವಿಮುಕ್ತಿಗೊಳಿಸಿರುವ ಕುರಿತು ಘನ ಉಚ್ಚನ್ಯಾಯಾಲಯದ ಆದೇಶದನ್ವಯ, ಮತ್ತೊಮ್ಮೆ ಸಂಬಂಧಿಸಿದವರ ಸಮಕ್ಷಮದಲ್ಲಿ ಈ ಮೇಲಿನಂತೆ ವಿಚಾರಣೆ ನಡೆಸಲಾಗಿ. ಸದರಿ ವಿಚಾರಣೆಯಲ್ಲಿ ಸಂಬಂಧಿಸಿದ ಜಿ.ವಿ.ಪಿ. ರವರ ಹೇಳಿಕೆ ಮತ್ತು ನೀಡಿರುವ ದಾಖಲೆಗಳನ್ನು ಹಾಗು ಸಂಬಂಧಿಸಿದ ಕಾರ್ಯನಿರ್ವಾಹಕ ಇಂಜಿನಿಯರ್(ವಿ), ಬೆವಿಕಂ., ಹಿರಿಯೂರು ವಿಭಾಗ ರವರ ಹೇಳಿಕೆ ಮತ್ತು ನೀಡಿರುವ ಸಂಬಂಧಿತ ದಾಖಲೆಗಳನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿ,

ವಿಚಾರಣೆಯಲ್ಲಿ ಘನ ಉಚ್ಚನ್ಯಾಯಾಲಯ ಪ್ರಕರಣದ ಮನವಿದಾರರು ಮತ್ತು ಸಂಬಂಧಿಸಿದ ಬಿವಿಕೆಯ ವಿಭಾಗಾಧಿಕಾರಿಗಳು ಹಾಜರುಪಡಿಸಿದ ಹೇಳಿಕೆ ಮತ್ತು ದಾಖಲೆಗಳ ಆಧಾರದ ಮೇಲೆ. ಎಂ.ಓ.ಯು. ಒಪ್ಪಂದದ ಷರತ್ತುಗಳು/ಸೂಚನೆಗಳನ್ನಯ ಜಿ.ವಿ.ಪಿ. ಕೆಲಸವನ್ನು ನಿರ್ವಹಿಸದೆ. 23 ಅಂಶಗಳು ಕಾರ್ಯಗತಕ್ಕೆ ಬಾರದೇ ಇರುವುದರಿಂದ ಸ್ವತಃ ಜಿ.ವಿ.ಪಿ.ಯವರೇ

ಕಂಪನಿಯ ಪರಿಕರಗಳಾದ ಮೊಬೈಲ್ ಹ್ಯಾಂಡ್‌ಸೆಟ್ ಮತ್ತು ಪ್ರಿಂಟರ್‌ಗಳನ್ನು ಸಂಬಂಧಿಸಿದು ಉಪವಿಭಾಗ ಕಛೇರಿಗೆ ಹಿಂದಿರುಗಿಸಿ ಜಿ.ವಿ.ಪಿ. ಕೆಲಸಕ್ಕೆ ಗೈರುಹಾಜರಾಗಿರುವುದು ಬೆವಿಕಂ..ನೊಂದಿಗೆ ಮಾಡಿಕೊಂಡಿರುವ ಎಂ.ಓ.ಯು. ಒಪ್ಪಂದಕ್ಕೆ ವಿರುದ್ಧವಾಗಿರುತ್ತದೆ. ಇದರಿಂದ ಸದರಿ ಜಿ.ವಿ.ಪಿ.ಯವರಿಗೆ ಕೆಲಸದಲ್ಲಿ ಆಸಕ್ತಿ ಇಲ್ಲದಿರುವುದು ಕಂಡುಬಂದಿದ್ದು, ಈ ಕಾರಣದಿಂದ ನಿಗಮದ ಬಿಲ್ಲಿಂಗ್ ಮತ್ತು ವಸೂಲಾತಿ ಕಾರ್ಯವು ಸಂಪೂರ್ಣವಾಗಿ ಸ್ಥಗಿತಗೊಂಡಿದ್ದಲ್ಲ. ಕೆಲಸ ನಿರ್ವಹಿಸುವಲ್ಲಿ ಸಂಪೂರ್ಣ ವಿಫಲರಾಗಿರುವುದು ಕಂಡುಬಂದಿರುತ್ತದೆ. ಈ ಎಲ್ಲಾ ಕಾರಣಗಳಿಂದಾಗಿ ಸದರಿ ಜಿ.ವಿ.ಪಿ.ಯನ್ನು ಕೆಲಸದಿಂದ ವಿಮುಕ್ತಿಗೊಳಿಸಲಾಗಿರುವ ಕ್ರಮವು ಸರಿಯಾಗಿರುತ್ತದೆ ಎಂದು ಸೂಕ್ತ ದಾಖಲೆಗಳೊಂದಿಗೆ, ಕಾರ್ಯನಿರ್ವಾಹಕ ಇಂಜಿನಿಯರ್(ವಿ), ಬೆವಿಕಂ., ಹಿರಿಯೂರು ವಿಭಾಗ ರವರು ತಿಳಿಸಿರುತ್ತಾರೆ.

**ಸದರಿ ದಾಖಲೆಗಳು ಮತ್ತು ಹೇಳಿಕೆಯು ಕ್ರಮಬದ್ಧವಾಗಿರುವುದಿಲ್ಲ ಎಂದು ಸಾಬೀತುಪಡಿಸುವಂತಹ ಮತ್ತು ಜಿ.ವಿ.ಪಿ. ಕೆಲಸದಿಂದ ವಿಮುಕ್ತಿಗೊಳಿಸಿದ ಪ್ರಕ್ರಿಯೆಯ ಸಮಂಜಸವಾಗಿರುವುದಿಲ್ಲ ಎಂಬ ಬಗ್ಗೆ ಹಾಗೂ ಜಿ.ವಿ.ಪಿ. ಕೆಲಸಕ್ಕೆ ಪುನಃ ತೆಗೆದುಕೊಳ್ಳುವ ಬಗ್ಗೆ ಸಮರ್ಥಿಸಿಕೊಳ್ಳಬಹುದಾದಂತಹ ದಾಖಲೆಗಳು/ಹೇಳಿಕೆಗಳನ್ನು ಸಂಬಂಧಿಸಿದ ಮನವಿದಾರರು ನೀಡಿರುವುದಿಲ್ಲ ಮತ್ತು ನೀಡಿರುವ ಕೆಲವು ದಾಖಲೆಗಳು ಮತ್ತು ಹೇಳಿಕೆಯು ಪರಿಗಣಿಸಬಹುದಾದಂತಹ ಸೂಕ್ತ, ದಾಖಲೆಗಳು/ಹೇಳಿಕೆಗಳಾಗಿರುವುದಿಲ್ಲ ಹಾಗೂ ಜಿ.ವಿ.ಪಿ. ಕೆಲಸದಿಂದ ವಿಮುಕ್ತಿಗೊಳಿಸಿರುವ ಪ್ರಕ್ರಿಯೆಯು ಅಂಶಗಳಿಗೆ ಸಂಬಂಧಿಸಿರುವುದಿಲ್ಲ ಎಂಬುದನ್ನು ಗಮನಿಸಲಾಗಿರುತ್ತದೆ.**

ಮುಂದುವರಿದಂತೆ ಸದರಿ ಎಂ.ಎಫ್.ಎಫ್/ಜಿ.ವಿ.ಪಿ. ರವರನ್ನು ಕೆಲಸದಿಂದ ತೆಗೆದುಹಾಕಿರುವುದರಿಂದ ತೆರವಾಗಿರುವ ಸದರಿ ಗ್ರಾಮ ಪಂಚಾಯಿತಿಗಳ ವ್ಯಾಪ್ತಿಗೆ ಬೆವಿಕಂ., ಕಂಪನಿ ಕಾರ್ಯಾಲಯದ ನಿರ್ದೇಶನದಂತೆ, ಈಗಾಗಲೇ 2015, 2016 ಮತ್ತು 2017ನೇ ಸಾಲಿನಲ್ಲಿ ಕಂಪನಿಯ ನಿಯಮಾನುಸಾರ ಮತ್ತು ಎಂ.ಓ.ಯು. ಒಪ್ಪಂದದೊಂದಿಗೆ

ಹೊಸದಾಗಿ ಜಿ.ವಿ.ಪಿ.ಗಳನ್ನು ನೇಮಕ ಮಾಡಿಕೊಂಡು ಜಿ.ವಿ.ಪಿ. ಕೆಲಸ ಪಡೆಯಲಾಗುತ್ತಿರುವುದನ್ನು ಗಮನಿಸಲಾಗಿರುತ್ತದೆ.

ಆದ್ದರಿಂದ, ಈ ಆದೇಶ,

ದಾ/ಅಇಂ(ವಿ)/ಉಲೆನಿ/ಲೆಅ/ಸಲೆಅ/ಹಿಆಸ/ಕಿಅಸ/ಸಿ-8/2025-26

ದಾವಣಗೆರೆ, ದಿನಾಂಕ:2 MAY 2025

"ಆದೇಶ"

**"ಎಸ್.ಕೆ.ಪಟೇಲ್, ಅಧೀಕ್ಷಕ ಇಂಜಿನಿಯರ್(ವಿ) ಹಾಗೂ ವಿಚಾರಣಾಧಿಕಾರಿ, ಬೆವಿಕಂ,, ದಾವಣಗೆರೆ ವೃತ್ತ ಆದ ನಾನು, ಶ್ರೀ ಟಿ.ತಮ್ಮಣ್ಣ ಬಿನ್ ನಾಯಕನಹಟ್ಟಿ ತಿಪ್ಪಯ್ಯ ಇವರನ್ನು ಎಂ.ಎಫ್.ಎಫ್./ಜಿ.ವಿ.ಪಿ. ಕೆಲಸದಿಂದ ವಿಮುಕ್ತಿಗೊಳಿಸಿರುವ ಬಗ್ಗೆ ಘನ ಉಚ್ಚನ್ಯಾಯಾಲಯದ ಆದೇಶದನ್ವಯ, ಮತ್ತೊಮ್ಮೆ ಸಂಬಂಧಿಸಿದವರ ಸಮಕ್ಷಮದಲ್ಲಿ ಈ ಮೇಲಿನಂತೆ ವಿಚಾರಣೆ ನಡೆಸಲಾಗಿ, ಸದರಿ ವಿಚಾರಣೆಯಲ್ಲಿ ಸಂಬಂಧಿಸಿದ ಜಿ.ವಿ.ಪಿ. ರವರ ಹೇಳಿಕೆ ಮತ್ತು ಸದರಿಯವರು ನೀಡಿರುವ ದಾಖಲೆಗಳನ್ನು ಹಾಗೂ ಸಂಬಂಧಿಸಿದ ಕಾರ್ಯನಿರ್ವಾಹಕ ಇಂಜಿನಿಯರ್(ವಿ), ಬೆವಿಕಂ., ಹಿರಿಯೂರು ವಿಭಾಗ ರವರ ಹೇಳಿಕೆ ಮತ್ತು ಸಂಬಂಧಿತ ದಾಖಲೆಗಳನ್ನು ಪರಿಶೀಲಿಸಲಾಗಿ ಹಾಗೂ ಜಿ.ವಿ.ಪಿ. ಮತ್ತು ಬೆವಿಕಂ., ನೊಂದಿಗಿನ ಎಂ.ಓ.ಯು. ಒಪ್ಪಂದದನ್ವಯ, ಅಂತಿಮವಾಗಿ ಸದರಿ ಜಿ.ವಿ.ಪಿ. ಯವರನ್ನು ಕೆಲಸದಿಂದ ವಿಮುಕ್ತಿಗೊಳಿಸಿರುವ ಪ್ರಕ್ರಿಯೆಯು ಕ್ರಮಬದ್ಧವಾಗಿರುತ್ತದೆ ಎಂದು ಆದೇಶಿಸಲಾಗಿದೆ.**

ಅಧೀಕ್ಷಕ ಇಂಜಿನಿಯರ್(ವಿ) ಹಾಗೂ ವಿಚಾರಣಾಧಿಕಾರಿ,
ಕಾರ್ಯ ಮತ್ತು ಪಾಲನ ವೃತ್ತ, ಬೆವಿಕಂ, ದಾವಣಗೆರೆ."

(Emphasis added)

In terms of the afore-quoted order, it is clear that respondent No.5 issues notices, the petitioners submit their replies to the notices and thereafter passes the orders of termination by affirming the earlier orders of termination. This would not amount to a disciplinary enquiry against the petitioners. The learned Single Judge had unmistakably held that a disciplinary enquiry should be held afresh. Therefore, notwithstanding all the nuances and contentions, the disciplinary enquiry ought to have been held afresh by the respondents and not by adopting a short-cut procedure of issuing notices, considering the replies and passing orders of termination or affirming the earlier orders of termination.

9. In that light, holding that the disciplinary enquiry, as was directed in W.P.Nos.44902-923/2015 and quoted supra, has not been held by the respondents, the writ petition deserves to be allowed in part.

10. For the aforesaid reasons, the following:

**ORDER**

a. The writ petition is allowed in part.

b. The impugned orders, all dated 02.05.2026, stand obliterated.

c. The matter is remitted back to the hands of the respondents to hold disciplinary enquiry in terms of the directions passed in W.P.Nos.44902-923/2015 and connected matters, including the conditions that are stipulated shall be binding on the parties.

d. In the light of the fact that the matter has been languishing for the past 11 years, I deem it appropriate to infuse finality into the proceedings. Therefore, the respondents shall conclude the disciplinary enquiry within three months from the date of receipt of a copy of this order.

Ordered accordingly.

**Sd/-**
**(M.NAGAPRASANNA)**
**JUDGE**

NVJ / List No.: 2 Sl No.: 15