



Search



◀ **pg 6**

Next Hearing Date:

1	<u>09/09/2026</u>	REGISTRAR (RECRUITMENT)	
Time granted till 11.12.26 for compliance			
2	<u>28/08/2026</u>	R DEVDAS AND K.MANMADHA RAO	ADJOURNED

Learned counsel Sri.Suneel S Narayan has entered appearance for respondent No.2.
Learned AGA is directed to take notice for respondent No.1.
Learned counsel for the petitioner submits that when respondent No.2 herein filed an application before the Tribunal, the application was considered along with one more application filed by Smt.Laxmibai Yelasangikar and both the applications were disposed of on 05.01.2026 setting aside the two impugned orders in both the applications. However, the matter was remitted back to the respondent No.1 - State to constitute the DPC afresh and consider the complete information of the officers eligible to be appointed to the post of Director of Prosecution in accordance with law and then take further action as per C & R Rules. It was also directed that the entire process shall be completed within a period of two months from the date of the order. It was further directed that, till the completion of filling up of the post of Director of Prosecution in terms of the direction issued by the Tribunal and in order to ensure the continuity of day to day functioning of the Department, it was directed that the present incumbent be continued to be placed in-charge of the post of Director of Prosecution and Government Litigation under Rule 32 of the KCSR.

Accordingly, the petitioner herein was placed in-charge as the Director of Prosecution and Government Litigation. Nevertheless, since the petitioner had to proceed on leave on the ground of child care, respondent No.1 issued a Notification on 04.02.2026 at Annexure - C handing over additional charge of the post of Director of Prosecution in favour of respondent No.2 herein in terms of Rule 68 and until further orders. It is the contention of the petitioner that after she came back from leave, she sought for handing over of charges from respondent No.2. However, it appears that respondent No.2 did not give the charge to the petitioner. Thereafter, the petitioner gave a representation to the Additional Chief Secretary, Home Department on 04.04.2026, as found at Annexure - D stating that since the second respondent herein did not hand over charge, the petitioner has proceeded to unilaterally take charge as Director of Prosecution and Government Litigation. Pursuant thereto, the Additional Chief Secretary, Home Department made a communication to the in-charge Director of Public Prosecution and Government Litigation on 06.04.2026 as found at Annexure - E directing that the second respondent, who was given charge as Director of Prosecution shall continue, while the petitioner herein shall continue as the Deputy Director of Prosecution.

Thereafter, considering the request made by the petitioner, the first respondent passed the impugned order at Annexure - G dated 16.07.2026 once again placing the petitioner as in-charge Director of Prosecution and Government Litigation under Rule 32, until further orders. The impugned order at Annexure - G dated 16.07.2026 was challenged by respondent No.2 before the Tribunal in Application No.3765/2026 and the Tribunal has passed the impugned order dated 13.08.2026, which is questioned in this writ petition.

As noticed herein above, this writ petition has been filed questioning the interim order passed by the Tribunal in Application No.3765/2026 dated 13.08.2026.

We find from the impugned order passed by the Tribunal that the Tribunal is of the opinion that since the two months time was granted to respondent No.1 for completion of the DPC proceedings had expired and no orders have been passed by respondent No.1, the impugned order at Annexure - G dated 16.07.2026 could not have been passed by the first respondent.

In the considered opinion of this Court, the grievance of the second respondent that the first respondent failed to comply with the directions issued by the Tribunal inasmuch as not completing the DPC proceedings within a period of two months will not entail the second respondent to seek to be placed in the position of Director or in-charge Director without there being an adjudication process or without the completion of the DPC proceedings. It is clear that, prima facie there is no dispute that the petitioner herein was placed as in-charge Director of Prosecution and Government Litigation in terms of the earlier order passed by the Tribunal. That being the position, merely because the DPC proceedings were not completed within the stipulated time, the second respondent cannot claim to be placed as in-charge Director, since that will be permitting the parties herein to go into the merits of the matter, which cannot be permitted at this stage. In fact such a stand will be contrary to the direction earlier issued by the Tribunal.

Consequently, there shall be an interim order of stay of the impugned order dated 13.08.2026 in Application No.3765/2026 passed by the Karnataka State Administrative Tribunal, Principal Bench, Bengaluru till the next date of hearing.

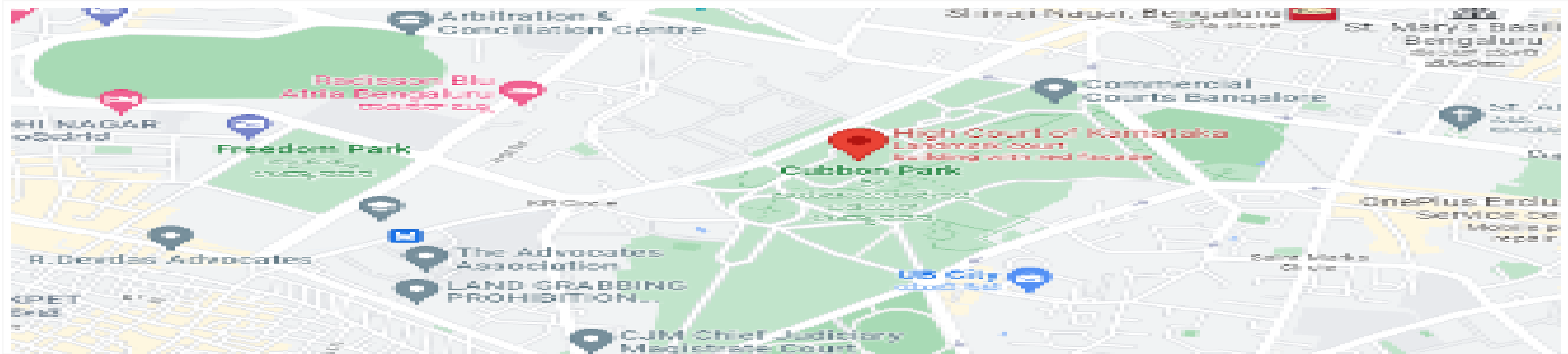
This order will not in any way prejudice the case of the parties in the contempt proceedings. The DPC, as directed by the Tribunal, can proceed.

Re-list this matter on 09.09.2026.

Last Updated On: 2026-09-01 11:34:19

3	<u>27/08/2026</u>	REGISTRAR (RECRUITMENT)	
	Comply during course of the day		

[Feedback](#) | [Website Policies](#) | [Disclaimer](#) | [Accessibility Statement](#) | [Contact Us](#)



Content Maintained by: **Computer Main Centre (CMC)**

Designed by NIC in association with CMC, High Court of Karnataka

Hosted By: CENTRE FOR e-GOVERNANCE, Government of Karnataka

HCK-WEB-VP04 | Todays Visitor Count: **126083** | Visitor Count: **51178423 [Since 05/05/2025]**

