



2026 INSC 235

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 6371-6384 OF 2022

S G JAMALUDHEEN ETC.

...APPELLANT(S)

VERSUS

**STATE OF KARNATAKA &
OTHERS ETC.**

...RESPONDENTS

WITH

CIVIL APPEAL NOS.6385-6409 OF 2022

**CIVIL APPEAL NOS.2601-2626 OF 2026
(Arising out of SLP(C) Nos.32427-32452/2014)**

CIVIL APPEAL NOS.6410-6488 OF 2022

**CIVIL APPEAL NOS.2632-2661 OF 2026
(Arising out of SLP(C) Nos.2645-2674/2015)**

**CIVIL APPEAL NOS.2662-2665 OF 2026
(Arising out of SLP(C) Nos.34490-34493/2014)**

**CIVIL APPEAL NOS.2666-2929 OF 2026
(Arising out of SLP(C) Nos.4713-4976/2015)**

**CIVIL APPEAL NOS.2930-2931 OF 2026
(Arising out of SLP(C) Nos.1478-1479/2015)**

**CIVIL APPEAL NOS.2932 OF 2026
(Arising out of SLP(C) No.30334/2016)**

CIVIL APPEAL NOS.2933-2934 OF 2026
(Arising out of SLP (C) Nos.8394-8395/2026
arising out of CC Nos.2570-2571/2017)

CIVIL APPEAL NOS.2935-2973 OF 2026
(Arising out of SLP(C) Nos.3911-3949/2017)

CIVIL APPEAL NOS.2974-3012 OF 2026
(Arising out of SLP (C) Nos.8396-8434/2026
arising out of CC Nos.2821-2859/2017)

CIVIL APPEAL NOS.3013-3051 OF 2026
(Arising out of SLP (C) Nos.8435-8473/2026
arising out of CC Nos.2880-2918/2017)

CONTEMPT PETITION NO. _____ OF 2026
(Arising out of Diary No.18428/2024)

CONTEMPT PETITION NO. _____ OF 2026
(Arising out of Diary No.18802/2024)

CONTEMPT PETITION NOS.228-241 OF 2025
IN
CIVIL APPEAL NOS. 6371-6384/2022

CONTEMPT PETITION NOS.685-698 OF 2025
IN
CIVIL APPEAL NOS. 6371-6384/2022

J U D G M E N T

NAGARATHNA, J.

Permission to file Special Leave Petitions is granted in
S.L.P. (C) CC Nos.2821-2859/2017 and 2880-2918/2017.

2. Delay condoned in S.L.P. (C) CC Nos.2570-2571/2017.
3. Leave granted in the Special Leave Petitions.
4. Being aggrieved by the impugned order dated 23.09.2014 passed the Division Bench of the Karnataka High Court in Writ Petition Nos. 6842-6880/2010 and connected writ petitions, the appellants are before this Court.
5. A Notification was published on 18.08.2006 by the Karnataka Public Service Commission (for short, "the KPSC") inviting applications for the post of Motor Vehicle Inspectors. A total of 145 posts were advertised. The qualifications for the post were also spelled out in the said Notification. However, there were several Original Applications filed before the Karnataka Administrative Tribunal (for short, "the Tribunal") challenging the Notification dated 18.08.2006 after the recruitment process stood completed in terms of the said Notification. By order dated 25.05.2010 passed by the Tribunal, the Original Applications filed against the Notification dated 18.08.2006 and the recruitment process pursuant thereto were set aside. There were less than twenty applicants in the original applications viz

Application Nos.182-185, 187-195, and 197-202 of 2007. By the said judgment, the Tribunal quashed the Notification dated 18.08.2006, as it was held to be at variance with Condition No.3 of the qualifications prescribed by the Central Government by Notification dated 19.06.1989 issued in exercise of powers under Section 213(4) of the Motors Vehicle Act, 1988 ('MV ACT', for short). The Tribunal also quashed the appointments made pursuant to the Notification dated 18.08.2006. Condition No.3 of the Central Government Notification dated 19.06.1989 was that candidates must have a working experience of at least one year in a reputed automobile workshop which undertakes repairs of light motor vehicles, heavy goods vehicles and heavy passenger motor vehicles fitted with petrol and diesel engine.

6. Being aggrieved by the said decision of the Tribunal, writ petitions were filed before the Karnataka High Court impugning the judgment of the Tribunal. By way of the impugned order in Writ Petition Nos.6842-6880 of 2010 (S-KAT) and connected matters, the Division Bench of the High Court dismissed the challenge and sustained the order of the Tribunal.

7. The appellants being the State, the selected and appointed candidates and others are in appeal before us against the aforesaid order of the High Court sustaining the order of the Tribunal. This Court had, vide order dated 04.12.2014, issued notice in the matter and also directed the continuation of the services of the appellants.

8. We have heard learned senior counsel and learned counsel for the appellants and respondents, learned Additional Advocate General appearing for the State of Karnataka, learned counsel for the Karnataka Public Service Commission (KPSC) at length.

9. On conclusion of arguments addressed by the learned senior counsel and learned counsel for the appellants, learned senior counsel and learned counsel for the respondents, during the course of their submissions stated that, if the State Government as well as the KPSC are willing to accommodate only sixteen (16) persons, who have been agitating this matter from the initial stage before the Tribunal and thereafter as respondents before the Karnataka High Court and now before this Court, then possibly the respondents may consider withdrawing the original applications that they had filed before

the Tribunal and consequently, the matter could be accordingly resolved.

10. It was submitted by learned senior counsel and learned counsel for the respondents that once the original applications filed by the respondents are withdrawn with the permission of this Court, then the impugned orders would pale into insignificance; that the respondents would have no claim whatsoever over the appointments made by the State vis-a-vis the appellants herein; that there would in fact be no *lis* subsisting between the parties and having regard to the long drawn out litigation and the passage of time, interest of justice would be served in this case if ultimately the State would grant orders of appointment to only 16 persons who have been identified and who, according to them, were eligible for being appointed at the relevant point of time. Therefore, they submitted that this Court may accept the proposal and submission made on behalf of the respondents and possibly give a *quietus* to the controversy.

11. Learned senior counsel and learned counsel for the appellants have no objection to such a submission being

considered so long as their appointments are intact and the impugned orders are set aside by this Court or would cease to apply to them.

12. Taking note of the said submission, yesterday (on 25.02.2026), we passed the following order -

“We have heard learned senior counsel and learned counsel for the parties, learned Additional Advocate General for the State of Karnataka, learned counsel for KPSC, learned senior counsel and learned counsel for the respondents at length and on several dates.

One of the ways of putting an end to the controversy in these appeals is by resolving the issue amicably. That could be achieved provided the controversy itself pales into significance. It could do so if the respondents themselves withdraw the original applications that they had filed before Karnataka Administrative Tribunal (KAT) which assailed the recruitment of Motor Vehicle Inspectors in question.

Learned senior counsel and learned counsel for the respondents submitted that they would withdraw their applications and consequently the orders passed thereon by the High Court would then pale into insignificance if already identified 16 persons whom they represent are also accommodated as Motor Vehicle Inspectors. They submitted that the State may well accommodate the aforeaid 16 persons by recruiting them as Motor Vehicle Inspectors without they claiming any back-wages or seniority or benefit of past service if the State issues an appointment order in their favour by not taking into consideration their bar or age other words granting an age relaxation to them. If that could be done by

the State then the 105+33 appointments made by the State could be saved. The appointed persons could continue in service and the matter could be resolved as such.

Having heard learned senior counsel and learned counsel for the respective parties on this aspect of the matter, we find that the learned counsel for the respondents must first submit a list of persons whom they state should be appointed by the respondent-State along with their eligibility criteria including their driving license details, their present age, etc. and their application numbers before the KAT. The said list should be in furtherance of this order. The already identified 16 candidates who are seeking appointment must also submit an affidavit before this Court stating that they would withdraw their original applications which they have filed before the Karnataka Administrative Tribunal and they would have no claim whatsoever against the appointed candidates which would be 105+33 candidates.

Learned Additional Advocate General submitted that if this could resolve the controversy, he would seek further instruction in the matter.

Learned counsel for the KPSC also submitted that ultimately it is for the State to consider the manner in which the dispute in these cases could be resolved.

Learned senior counsel and learned counsel for the appellants would have no objection if the matter could be resolved in this manner.

Hence, this order is made without prejudice to the rights and contentions of the respective parties.

List the matter tomorrow, i.e. on 26.02.2026 as item No. 101.”

13. Today, the 16 respondents have filed their affidavit which has been verified by one of the 16 persons for and on behalf of all the 16 persons, whose details are as under:

Sl. No.	Respondent Name	DOB & Age	KAT Application No.	Diploma Automobile/ Engineering Mechanical Engineering ¹	Driving Licence Details	One year workshop experience
1.	H. G. Somashekara	24/03/74 51 years	182/07 Dtd : 05.01.2007	DME (AT) Attached	Yes Attached	Yes Attached
2.	Maralinagappa K	01/06/1971 54 years	183/07 Dtd : 05.01.2007	DME (AT) Attached	Yes Attached	Yes Attached
3.	Venugopal	56 years	184/07 Dtd : 05.01.2007	DME Attached	Yes Attached	Yes Attached
4.	Veerabhadrapa Harihar	13/01/1971 55 years	185/07 Dtd: 05.01.2007	DME (AT) Attached	Yes Attached	Yes Attached
5.	Kumar H M	28/06/1968 57 yrs.	187/07 Dtd : 05.01.2007	DAE Attached	Yes Attached	Yes Attached
6.	K. Yogendra	14/12/1974 51 years	195/07 Dtd : 05.01.2007	DAE Attached	Yes Attached	Yes Attached
7.	Hareesh B K	27/10/1975 50 years	198/07 Dtd : 05.01.2007	DME (AE) Attached	Yes Attached	Yes Attached
8.	Anand. K. C	01/08/1976 49 years	199/07 Dtd : 05.01.2007	DME (AT) Attached	Yes Attached	Yes Attached
9.	Rajesh K	17/03/1972 53 years	200/07 Dtd : 05.01.2007	DME (AT) Attached	Yes Attached	Yes Attached
10.	Arun Surendra Patil	18/06/1971 54 years	201/07 Dtd : 05.01.2007	DAE Attached	Yes Attached	Yes Attached
11.	Shashi Kumar E	50 years	202/07 Dtd : 05.01.2007	DME Attached	Yes Attached	Yes Attached
12.	B.N Shivananjegowda	20/02/1977 49 years	2426/2008 Dtd : 9.05.2008	DME Attached	Yes Attached	Yes Attached

Sl. No.	Respondent Name	DOB & Age	KAT Application No.	Diploma Automobile/ Engineering Mechanical Engineering ¹	Driving Licence Details	One year workshop experience
13.	Kamble Satish Kumar	21/03/1969 56 years	2360/2008	DME (AT) Attached	Yes Attached	Yes Attached
14.	Raghunandan A R	09/06/1984 41 years	182/07 Impleadment Applicant	DAE Attached	Yes Attached	Yes Attached
15.	Siddaramaiah	21/07/1981 44 years	1456/2008 & 5984/2008	DME Attached	Yes Attached	Yes Attached
16.	Venkatesh Waddar	04/01/1975 51 years	1419/2008 Dtd : 8.03.2008	DAE Attached	Yes Attached	Yes Attached

14. These 16 respondents have also given the following undertakings in the affidavit, which is at paragraphs 7 to 10 of the affidavit and which read as under:-

“7. That the deponent humbly submits the 16 already identified candidates shall hereby withdraw their original applications which they have filed before the Ld. Karnataka Administrative Tribunal if they are appointed as Motor Vehicle Inspectors in terms of the KPSC notification dated 17.08.2006 and corrigendum dated 25.08.2006 notifying recruitment of motor vehicles inspectors.

8. That the deponent humbly submit that the 16 already identified candidates shall would have no claim whatsoever against the appointed candidates which would be 105+33 candidates if they are appointed as Motor Vehicle Inspectors in terms of the KPSC notification dated 17.08.2006 and corrigendum dated 25.08.2006 notifying recruitment of motor vehicles inspectors.

9. That the deponent humbly submit that the 16 already identified candidates are agreeable that they shall be placed below the last selected candidate appointed in terms of the KPSC notification dated 17.08.2006 and corrigendum dated 25.08.2006 notifying recruitment of motor vehicles inspectors and be placed in the commensurate pay band/grade pay of Motor Vehicle Inspector of 2006 Recruitment Process without back wages and without claiming benefit of past service.

10. That the deponent humbly submit that the 16 already identified candidates have no objection if the matter could be resolved in this manner, without prejudice to the rights and contentions of the respective parties.”

15. Learned AAG appearing for the State of Karnataka submitted that the State has a good case on merits and is confident of succeeding in these matters. However, if this Court is inclined to give a quietus to the litigation by directing the State that these 16 persons be appointed as Motor Vehicle Inspectors, then this order may not be treated as a precedent for any future case. Learned AAG also submitted that from the date the appointment orders are issued to these 16 persons may be reckoned as the date of actual appointment for all legal and technical purposes.

16. Learned AAG for the State of Karnataka, Sri Aman Panwar submitted that if the respondents undertake to withdraw the original applications and consequently the impugned order of the Tribunal as well as of the High Court are no longer applicable to the State, KPSC as well as the private appellants, then, in that case, this Court may accordingly give a quietus to the controversy completely.

17. Learned counsel for the KPSC also submitted that KPSC would have no objection for the closure of the appeals by an appropriate order being made in these cases.

18. We have perused the affidavit as well as the prayers made by the 16 respondents in the affidavit. We find that the 16 respondents have decided to withdraw their original applications which they had filed before the Tribunal. Consequently, they have no claim whatsoever against the appointed candidates, namely, 105+33 (pursuant to the interim orders of this Court); that these 16 persons would not claim any seniority at par with the appellants and they are ready and willing to be placed last in the seniority list having regard to the fact that there have been subsequent recruitments made to the post of Motor Vehicle

Inspector. They would also not claim any monetary benefit whatsoever except from the date on which they are to be appointed and in accordance with law.

19. We find that having regard to the long drawn litigation in the instant case and bearing in mind the fact that the Tribunal as well as the High Court have set aside 105 appointments, this Court has passed interim orders in their favour for the purpose of continuation of the appellants in their respective posts. The interim orders were also made for the reason that 105 vacancies could not be abruptly caused in the cadre of Motor Vehicle Inspector.

20. The interim orders passed by this Court on 4.12.2014 and 30.08.2022 read as under:

“04.12.2014

Issue notice.

Mr. V.N. Raghupathy, Advocate has entered appearance on behalf of respondent nos. 1 and 2.
Mr. Harisha S.R., Advocate has entered appearance on behalf of respondent nos. 4 to 15.
Service of notice on these respondents is waived.

Issue notice to the remaining respondents only.

Until further orders, such of the appointees who were inducted into service in the year 2008, and are continuing in service shall not be disturbed, and shall be permitted to continue in service.

30.08.2022

We have heard learned counsel for parties and record the submissions of learned counsel for the State as under :-

(i) There are 105 persons who have been working during the interregnum period of time and in view of our observations in the Order dated 29.7.2022, learned counsel for the State submits he has obtained instructions from the Secretary Transport who is present in Court that these people will be absorbed from the original date.

(ii) There are 39 persons who initially cleared the medical test but on some complaints being made, the medical board was held again and they did not succeed before the medical board. It is the say of learned counsel for those applicants that this was so as a height requirement was taken into consideration which formed a part of the advertisement but not part of the Central Rules. On hearing learned counsel for parties, we feel that the appropriate course of action would be to hold a fresh Medical Board for all parameters excluding the requirement of height and dependent on that Medical Board would arise their question of absorption from the prospective date.

(iii) There are 11 persons more over whom the learned counsel for the State has serious objections and would like to withdraw the affidavit filed earlier on 24.8.2022 3 as it

contains some mistakes and that he will file fresh affidavit within two weeks.

The aforesaid actions taken qua the first two categories would of course be subject to the final outcome of the petitions.

Any response to the affidavit filed by the State can be so filed within two weeks thereafter.

Leave granted.

Listing as per priority of the original date of filing of the SLP.”

21. The above appellants have continued in service from the date of their recruitment in view of the interim orders by the High Court as well as this Court. The appellants have also completed their probation and some of them have also been promoted as Senior Motor Vehicle Inspectors in the year 2023. In the circumstances, we find that the interest of justice would be served in these appeals if ultimately the controversy could be resolved in the manner that has been suggested by the parties through their respective learned senior counsel and learned counsel.

22. Therefore, we pass the following directions:

- (i) We permit the respondents/original applicants to withdraw the original applications filed by them before the

Tribunal. Consequently, the order of the Tribunal as well as the order of the High Court passed in the Writ Petitions setting aside the appointment of the appellants herein would pale into insignificance having no efficacy any longer.

- (ii) The appointment of the appellants herein would not carry any further controversy and this is particularly so, having regard to the aforesaid interim orders under the protection of which they have been discharging their duties thus far. The interim orders shall therefore be made absolute.
- (iii) In view of the above position, the 16 persons, referred to above, shall be appointed by the respondent/State as Motor Vehicle Inspectors bearing in mind their qualifications and other eligibility criteria. The appointment orders shall be issued to them on or before 31.03.2026. The said 16 persons shall actually assume charge within a period of one week from the date of the appointment order.
- (iv) The said appointments shall not alter the existing seniority list and these 16 persons shall be placed at the

end of the extant seniority list of Motor Vehicle Inspectors.

- (v) These 16 persons so appointed shall not claim any monetary benefits except for the period from the date they are appointed.
- (vi) The endeavour of this Court is to give a quietus to the long drawn controversy in the instant case. Therefore, the respondent-State shall grant age relaxation to 16 respondents herein to be appointed.
- (vii) The eligibility criterion regarding possessing a driving license for any type of four wheeler motor vehicle shall be insisted upon for these 16 persons to be appointed.
- (viii) We observe that the affidavit filed on behalf of the 16 respondents is binding on all these persons and in the event they raise any controversy whatsoever with regard to the said affidavit, they may not be ultimately considered for appointment or, if appointed, may not be permitted to continue in service.

23. We have endeavoured to solve the long drawn out *lis* between the parties by this order in exercise of our jurisdiction and powers under Article 142 of the Constitution of India. In

view of the same, we observe that -

- (a) there shall be no further *lis* with regard to the 2006 recruitment initiated by the respondent/State Government.
- (b) We further observe that the interim order dated 30.08.2022 shall be limited to the facts and circumstances of this case only.
- (c) Since the *lis* between the parties is being given a quietus, no further representation or other petitions shall be considered by the State on par with these 16 persons with regard to the recruitment in question.

24. One reason for accepting the affidavit filed by the respondents on behalf of only 16 respondents is that they have pursued the litigation before the Tribunal, before the High Court as well as before this Court initially as applicants and thereafter as successful respondents.

25. Out of the 16 persons, the following persons are present before this Court and they state that all 16 persons would abide by their undertakings –

1. K. Yogendra
2. Hareesh B K
3. Arun Surendra Patil
4. B.N Shivananjegowda
5. Kamble Satish Kumar
6. Raghunandan A R
7. Venkatesh Waddar

26. In the result, we issue the following directions:

- (i) The original applications filed before the Tribunal are dismissed as withdrawn.
- (ii) Consequently, the impugned order passed by the Tribunal as well as the impugned order passed by the High Court in the writ petitions pale into insignificance and are consequently set aside.
- (iii) The respondent(s)/State shall issue the requisite appointment orders to the following 16 persons only on or before 31.03.2026:

Sl. No.	Respondent Name
1.	H. G. Somashekara
2.	Maralinagappa K
3.	Venugopal
4.	Veerabhadrapa Harihar
5.	Kumar H M
6.	K. Yogendra
7.	Hareesh B K
8.	Anand. K. C

Sl. No.	Respondent Name
9.	Rajesh K
10.	Arun Surendra Patil
11.	Shashi Kumar E
12.	B.N Shivananjegowda
13.	Kamble Satish Kumar
14.	Raghunandan A R
15.	Siddaramaiah
16.	Venkatesh Waddar

(iv) We observe that no further representation or petition shall be filed by any of the parties in respect of 2006 recruitment.

(v) Further, the 105 appellants + 33 appellants who have been continued in appointment or appointed pursuant to interim orders dated 04.12.2014 and 30.08.2022 passed by this Court shall also not be disturbed.

27. These appeals are disposed of in the aforesaid terms in exercise of our powers under Article 142 of the Constitution of India. Hence, this order shall not be treated as a precedent in any other case.

Consequently, the contempt petitions and applications for condonation of delay in filing contempt petitions, if any, stand disposed of.

All pending applications including the applications for intervention/impleadment/addition/deletion/modification of parties stand disposed of.

28. We place on record our sincere appreciation of the assistance rendered by Mr. Aman Panwar, learned AAG for the State of Karnataka and Ms. Thashmitha Muthanna, learned counsel for the KPSC to this Court as well as learned senior counsel and learned counsel appearing for the respective parties.

.....J.
(B.V. NAGARATHNA)

.....J.
(UJJAL BHUYAN)

**NEW DELHI;
FEBRUARY 26, 2026.**