



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF MAY, 2024

PRESENT

THE HON'BLE MR JUSTICE KRISHNA S DIXIT

AND

THE HON'BLE MR JUSTICE RAMACHANDRA D. HUDDAR

WRIT APPEAL NO. 1994 OF 2014 (S-RES)

C/W

WRIT APPEAL NO. 1993 OF 2014 (S-RES)

IN W.A.NO.1994/2014:

BETWEEN:

1. THE MANAGEMENT
S.J.R.C. EDUCATIONAL SOCIETY (R)
RACE COURSE ROAD,
BANGALORE-560 009.
REPRESENTED BY ITS SECRETARY.
2. THE PRINCIPAL,
SREE JAGADGURU RENUKACHARYA LAW COLLEGE,
RACE COURSE ROAD,
BANGALORE-560 009.

...APPELLANTS

(BY SRI.VISHWANATH H M.,ADVOCATE FOR A1)

AND:

1. PRINCIPAL SECRETARY,
GOVERNMENT OF KARNATAKA,
DEPARTMENT OF HIGHER EDUCATION,
M.S.BUILDING, DR.AMBEDKAR VEEDHI,
BANGALORE-560 001.
2. COMMISSIONER FOR COLLEGIATE EDUCATION,
GOVERNMENT OF KARNATAKA,
DEPARTMENT OF HIGHER EDUCATION,
M.S.BUILDING, DR.AMBEDKAR VEEDHI,
BANGALORE-560 001.





NC: 2024:KHC:17766-DB
WA No. 1994 of 2014
C/W WA No. 1993 of 2014

3. THE UNDER SECRETARY,
TO THE GOVERNMENT OF KARNATAKA,
EDUCATION DEPARTMENT,
(COLLEGIATE EDUCATION),
M.S.BUILDING, DR.AMBEDKAR VEEDHI,
BANGALORE-560 001.

4. SRI. SADASHIVAIAH,
AGED ABOUT 65 YEARS,
S/O LATE HONNAGANGAPPA,
R/AT NO.46, 7TH CROSS,
MAGADI MAIN ROAD,
JAYAMUNI RAO CIRCLE,
AGRAHARA DASARAHALLI,
BANGALORE-560 079.

...RESPONDENTS

(BY SRI. G.S. ARUNA., HCGP FOR R1 TO R3;
SRI. M. VEERABHADRAIAH., ADVOCATE FOR R4)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER PASSED
IN THE WRIT PETITION 40699/2011 DATED 11/07/2014.

IN W.A.NO.1993/2014:

BETWEEN:

THE MANAGEMENT,
S.J.R.C. EDUCATION SOCIETY (R)
RACE COURSE ROAD,
BANGALORE - 560 009.
REPRESENTED BY ITS SECRETARY.

...APPELLANT

(BY SRI.VISHWANATH H M., ADVOCATE FOR A1)

AND:

1. THE STATE OF KARNATAKA,
DEPARTMENT OF HIGHER EDUCATION,
M.S. BUILDING, DR. AMBEDKAR VEEDHI,
BANGALORE - 560 001.
REPRESENTED BY ITS PRINCIPAL SECRETARY.



2. SRI. SADASHIVAIAH,
AGED ABOUT 62 YEARS,
S/O LATE HONNAGANGAPPA,
R/AT NO.46, 7TH CROSS,
MAGADI MAIN ROAD,
JAYAMUNI RAO CIRCLE,
AGRAHARA DASARAHALLI,
BANGALORE – 560 079.

...RESPONDENTS

(BY SRI. G.S. ARUNA, HCGP FOR R1;
SRI. M. VEERABHADRAIAH., ADVOCATE FOR R2)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER PASSED IN THE WRIT PETITION 648/2014 DATED 11/07/2014.

THESE APPEALS COMING ON FOR ORDERS THIS DAY, **KRISHNA S DIXIT.J.**, DELIVERED THE FOLLOWING:

JUDGMENT

These two appeals essentially lay a challenge to an order which directed the payment of equal remuneration to the 4th respondent in W.A.No.1994/2014 who happens to be the 2nd respondent in the companion W.A.No.1993/2014. The said respondent having died, a Coordinate Bench of this Court vide order dated 26.02.2024 has said as under:

"In W.A.No.1994/201, learned counsel Sri.Vishwanath H.M., for appellant No.1, similarly the learned counsel Sri.M Veerabhadraiah for respondent No.4 are present before the Court physically and connected case



in W.A.No.1993/2014 learned counsel Sri.Vishwanath H.M., for appellant No.1, similarly the learned counsel Sri.M Veerabhadraiah for respondent No.2 are present before the Court physically.

Learned counsel Sri.M Veerabhadraiah., in W.A.No.1994/2014 submits that respondent No.4 has died in the year 2021 and the same has been informed to the Management, S.J.R.C Educational Society. Learned counsel Sri.M Veerabhadraiah., in further submits that he want to secure the particulars of the LRs of respondent No.4 in W.A.No.1994/2014 and LRs of respondent No.2 in W.A.No.1993/2014 to participate in these appeal matters.

Keeping in view the submission made by the learned counsel Sri.M Veerabhadraiah, it is deem it appropriate to take out process in respect of LRs of respondent No.4 in W.A.No.1994/2014 and LRs of respondent No.2 in W.A.No.1993/2014 to participate in these appeal matters and the parties in the proceedings would be directed to proceed in accordance with law to take appropriate process against the LRs of respondents.

List this matter after two weeks' in the usual course."

2. In terms of the order dated 26.02.2024, nothing having been done, these appeals abate by operation of law and such abatement cannot be halted by court order, Rule 37 of the Writ Proceedings Rules, 1977



having incorporated the provision of Civil Procedure Code, 1908.

In view of the above, these Writ Appeals are disposed off as having abated. However, this order shall not come in the way of appellants seeking setting aside abatement in accordance with law.

Sd/-
JUDGE

Sd/-
JUDGE

cbc
List No.: 1 Sl No.: 10