

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF FEBRUARY, 2021

PRESENT

THE HON'BLE MR.ABHAY S. OKA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 9260 OF 2020 (S-RES-PIL)

BETWEEN:

THE NATIONAL FEDERATION OF
THE BLIND
HAVING ITS REGISTERED OFFICE
AT PLOT P.21, SECTOR 6
M.B.ROAD, PUSHPAVIHAR
NEW DELHI-110 017
AND ITS KARNATAKA BRANCH OFFICE
AT No.S372, BHARAT NAGAR
2ND PHASE, NEAR KARNATAKA BANK
MAGADI ROAD
BANGALORE-560 091
REPRESENTED BY ITS GENERAL
SECRETARY, MR.GAUTAM PRAKASH
AGARWAL.

... PETITIONER

(BY SMT.JAYNA KOTHARI, SENIOR ADVOCATE
FOR SHRI ROHAN KOTHARI, ADVOCATE)

AND:

1. THE KARNATAKA PUBLIC
SERVICE COMMISSION
UDYOG SOUDHA
BANGALORE-560 001
REPRESENTED BY ITS
CHAIRMAN.

2. STATE GOVERNMENT OF KARNATAKA
DEPARTMENT OF PERSONNEL
AND ADMINISTRATIVE REFORMS
No.32, VIDHANA SOUDHA
BANGALORE-560 001
REPRESENTED BY ITS
PRINCIPAL SECRETARY.

3. THE STATE GOVERNMENT OF
KARNATAKA
DEPARTMENT OF WOMEN AND
CHILD WELFARE
M.S.BUILDING
BANGALORE-560 001
REPRESENTED BY ITS
PRINCIPAL SECRETARY.

4. THE COMMISSIONER FOR
DISABILITIES
No.55, ABHAYA SANKEEMA
2ND FLOOR, KARNATAKA
SLUM DEVELOPMENT BOARD
BUILDING, RISALDAR STREET
(PLATFORM ROAD)
SHESHADRIPURAM
BANGALORE-560 020.

5. UNION OF INDIA
MINISTRY OF SOCIAL JUSTICE
AND EMPOWERMENT
DEPARTMENT OF EMPOWERMENT
OF PERSONS WITH DISABILITIES
Pt. ANTYODAYA BHAWAN,
5th FLOOR, CGO COMPLEX
LODHI ROAD
NEW DELHI-11- --1
REPRESENTED BY ITS SECRETARY.

... RESPONDENTS

(BY SHRI REUBEN JACOB, ADVOCATE FOR R-1;
SHRI C.M.POONACHA, AGA, FOR R-2 & R-3;
SHRI M.N.KUMAR, CGC, FOR R-5;
R-4 IS SERVED AND UNREPRESENTED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226B AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT IN THE NATURE OF MANDAMUS OR ANY OTHER WRIT DIRECTING THE 1ST RESPONDENT KPSC TO PROVIDE VISUALLY IMPAIRED CANDIDATES OF THE EXAMINATION SCHEDULED FOR 24.8.2020 UNDER THE IMPUGNED NOTIFICATION DATED 31.1.2020 PRODUCED AS ANNEXURE-A FOR THE POST OF GAZETTED PROBATIONERS 2017-18 FOR AN ADDITIONAL COMPENSATORY TIME OF 20 MINUTES PER HOUR AND AT LEAST ONE HOUR COMPENSATORY TIME PROVIDED FOR CANDIDATES NOT AWAILING THE FACILITY OF A SCRIBE, AND ETC.

THIS PETITION COMING ON FOR ORDERS THIS DAY, **CHIEF JUSTICE** MADE THE FOLLOWING:

ORDER

We have perused the memo filed by the State Government dated 24th February, 2021 along with which a Government Order dated 11th February, 2021 is placed on record.

2. The learned senior counsel appearing for the petitioner submits that except for prayer clause (E), nothing survives for consideration in the petition in view of the aforesaid Government Order. Prayer clause (E) is for quashing the Government Order dated 30th October, 2007.

3. We find from the Government Order dated 9th November, 2020 that the earlier Government Orders dated 30th October, 2007 and 19th November, 2010 have been substituted by the said Government Order dated 9th November, 2020 and now, by the Government Order dated 11th February, 2021, the Government Order dated 9th November, 2020 corrigendum dated 17th December, 2020 have been withdrawn.

4. Therefore, even prayer clause (E) will not survive for consideration and accordingly, we dispose of the writ petition.

Sd/-
CHIEF JUSTICE

Sd/-
JUDGE

vgh*