HC-KAR

IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 29TH DAY OF JUNE, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 104912 OF 2026 (GM-CPC)

BETWEEN:

1. LAXMAVVA W/O. NINGAPPA HUCHHANNAVAR
@ PATIL, AGED ABOUT: 61 YEARS,
OCC: HOUSEWIFE
R/O. C/O. HANAMATNAYAK KALLANNAVAR,
SHRI GURU NILAYA,
KOULPET BASTIBANA, KOULPET
LAKSHMESHWAR- 582116.

2. NINGAPPA S/O. BASAPPA HUCHHANNAVAR
@ PATIL, AGED ABOUT: 65 YERAS
OCC: NIL, R/O. C/O. HANAMATNAYAK
KALLANNAVAR,
SHRI GURU NILAYA,
KOULPET BASTIBANA,
KOULPET, LAKSHMESHWAR- 582116.

3. SMT. MANJULA
W/O. HANAMANTAYAK KALLANNAVAR
(BEFORE MARRIAGE MANJULA
D/O. NINGAPPA HUCHANNAVAR @ PATIL)
AGED ABOUT 40 YEARS, OCC: NIL,
R/O. C/O. HANAMATNAYAK KALLANNAVAR,
SHRI GURU NILAYA, KOULPET BASTIBANA,
KOULPET, LAKSHMESHWAR- 582116.

... PETITIONERS

(BY SRI KARTIK GANACHARI, ADVOCATE)

MOHANKUMAR B SHELAR
Digitally signed by MOHANKUMAR B SHELAR
Location: High Court of Karnataka, Dharwad Bench
Date: 2026.07.01 13:05:11 +0530

AND:

1. VEDHASHREE W/O. SIDDHARODHA TEGUR,
AGED ABOUT 31 YEARS,
OCC: HOUSEWIFE,
R/O. C/O. MALLIKARJUN HUMBERI,
TARGAR ONI, NARENDRA VILLAGE,
DIST: DHARWAD-580005.

2. THE DIRECTOR GENERAL
AND INSPECTOR GENERAL OF POLICE,
OFFICE: THE OFFICE OF DGIGP
NO.2, NRUPATUNGA ROAD,
BENGALURU- 560001.

3. THE POLICE COMMISSIONER
HUBBALLI DHARWAD POLICE COMMISSIONERATE,
OFFICE: THE OFFICE OF POLICE COMMISSIONER,
H-D CITY POLICE COMMISSIONER,
NAVANAGAR, HUBBALLI- 580025.

4. THE DISTRICT INSURANCE OFFICER
KARNATAKA STATE INSURANCE DEPARTMENT,
K.G.I.D OFFICE, DHARWAD- 580001.

5. THE MANAGER/AUTHORISED SIGNATORY
(POLICE DEPARTMENT GROUP INSURANCE CLAIMS),
UNITED INDIA INSURANCE COMPANY LTD.,
OFFICE: DIVISIONAL OFFICE-01,
2, 1ST FLOOR, ENKAY COMPLEX,
KESHWAPUR, HUBBALLI,
KARNATAKA- 580023.

6. THE AUTHORISED SIGNATORY
NATIONAL PENSION SYSTEM (NPS)
PROTEAN E-GOV TECHNOLOGIES LIMITED,
1ST FLOOR, TIMES TOWER,
KAMALA MILLS COMPOUND,
SENAPATI BAPAT MARG,
LOWER PAREL, MUMBAI- 400013.

… RESPONDENTS

(BY SMT. KIRTILATA R. PATIL, HCGP FOR R2 TO R4,
SRI SHARAD V. MAGADUM, AGA FOR R5)

THIS WRIT PETITION IS FILED UNDER ARTICLE 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT OR ORDER OR DIRECTION SETTING ASIDE THE ORDER DATED 29.04.2026 PASSED ON I.A. NO.VIII IN O.S.NO.159/2025 BY THE HON'BLE COURT OF I ADDL. SENIOR CIVIL JUDGE AND JMFC, HUBBALLI VIDE ANNEXURE-A AND CONSEQUENTLY ALLOW THE APPLICATION, AND ETC.,

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

ORAL ORDER

(PER: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM)

The present writ petition is filed calling in question the order passed by the Trial Court rejecting the application filed by petitioner No.3 seeking impleadment in O.S. No.159/2025.

2. Heard the learned counsel appearing for the petitioners. Perused the order impugned and the material placed on record.

3. The records reveal that respondent Nos.1 and 2, who are the parents of late Kiran Patil, have instituted O.S. No.159/2025 against the daughter-in-law of the family, who is arrayed as defendant No.1, seeking a declaration that they are the sole surviving legal heirs of the deceased Kiran Patil and consequently entitled to receive all service and terminal benefits arising out of his death while in service in the Police Department.

4. Petitioner No.3, who is the married sister of the deceased, sought to come on record contending that she has

been taking care of her aged parents and has also submitted an application seeking compassionate appointment on account of the death of her brother. The Trial Court, on consideration of the pleadings, rejected the application holding that petitioner No.3 is neither a necessary nor a proper party to the proceedings.

5. This Court finds no infirmity in the view taken by the Trial Court. The *lis* in the suit is essentially between the parents of the deceased and his widow in relation to the entitlement to service and terminal benefits. Admittedly, the parents and the widow fall within the category of Class-I heirs, whereas petitioner No.3, being the sister of the deceased, is only a Class-II heir. As long as Class-I heirs are available and are contesting their respective claims, petitioner No.3 cannot claim to be either a necessary or a proper party to the suit. The fact that she is taking care of her aged parents or has submitted an application for compassionate appointment does not confer upon her any enforceable right to seek impleadment in the present proceedings.

6. The Trial Court has, therefore, rightly rejected the application for impleadment. This Court does not find any jurisdictional error or perversity warranting interference in exercise of its writ jurisdiction.

7. Accordingly, the writ petition, being devoid of merits, stands ***dismissed***.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE

MBS
CT:GSM
List No.: 1 Sl No.: 30