High Court notice to State on plea challenging appointment of B.S. Patil as Upalokayukta

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The High Court of Karnataka on Wednesday ordered issue of notice to the State government and others on a PIL petition questioning the process of appointment of B.S. Patil, a former judge of the High Court, as Upalokayukta.

A Division Bench comprising Justice Ravi Malimath and Justice M. Nagaprasanna passed the order on the petition filed by Samaja Parivarthana Samudaya, a non-governmental organisation.

'No consultation'

"The records indicate that there was no consultation, let alone meaningful and effective consultation or discussion of the name suggested among the consultees before advising the Governor on appointment to the post of Upalokayukta," the petitioner claimed.

It has been claimed in the petition that though the chairman of Karnataka Legislative Council, Speaker of Karnataka Legislative Assembly, Leader of the Opposition in Karnataka Legislative Council, and Leader of the Opposition in Karnataka Legislative Assembly recommended Mr. Patil, the Chief Justice reiterated his earlier recommendation of another retired judge in response to the Chief Minister's letter, which had indicated to the Chief Justice about recommendation of Mr. Patil by other four consultees.

The appointment of Mr. Patil as Upalokayukta is in violation of Section 3(2)(b) of the Karnataka Lokayukta Act since the Chief Justice of the High Court was "not consulted nor was the name deliberated upon before advising or appointing him as Upalokayukta," the petitioner contended.