**IN THE HIGH COURT OF****KARNATAKA** **AT BANGALORE
DIVISION BENCH**

Writ Appeal Nos. 4103 and 4515 of 2009

Decided On: 04.01.2010

Appellants: **The Management, Punacha Pariyalthadka Aided Higher Primary School**
**Vs.**
Respondent: **State of****Karnataka** **and Anr.**

**Hon'ble Judges/Coram:**
V. Gopala Gowda and A.S. Bopanna, JJ.

**JUDGMENT**

**A.S. Bopanna, J.**

1. The appellant is before this Court assailing the order dated 10-8-2009 passed by the learned Single Judge in W.P. Nos. 23161 and 23162 of 2009. The appellant was before the learned Single Judge seeking that the communication/order dated 4-5-2009 be quashed. By the said communication/order dated 4-5-2009, the appellant was directed by the authorities to comply with the earlier directions issued in W.P. Nos. 15874 of 2007 and 1178 of 2008 and thereafter resubmit the salary bill. When the matter was taken up by the learned Single Judge, though the contentions were noticed by the learned Single Judge, the learned Single Judge was of the view that the appellant has an alternative remedy under Section 130 of the Karnataka Education Act, 1983.

2. Even though, the learned Counsel for the appellant seeks to contend that the learned Single Judge was not justified and the matter ought to have considered on its merits, we are of the view that since the learned Single Judge has noticed that there is an alternative remedy the discretion vested in the Court under Article 226 of the Constitution has not been exercised. Hence, there is no need for us to interfere with the order passed by the learned Single Judge. Accordingly, the appeal is devoid of merit. The appeal is therefore dismissed. No order as to costs.