



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

WRIT PETITION NO. 12070 OF 2021 (L-RES)

C/W

WRIT PETITION NO. 10462 OF 2019 (L-RES)

IN WP No. 12070/2021

BETWEEN:

THE WORKMEN OF THE HIMALAYA
DRUG COMPANY
REPRESENTED BY
KARNATAKA WORKERS UNION
CITU OFFICE, V.G. GOPAL BUILDING
NO.20/1, LALBAGH FORT ROAD,
BENGALURU 560 004

...PETITIONER

(BY SRI. NAIK V S., ADVOCATE)

AND:

THE MANAGEMENT OF
THE HIMALAYA DRUG COMPANY MAKALI,
TUMAKURU ROAD
BENGALURU 562162
BY ITS DIRECTOR - HR

...RESPONDENT

(BY SRI. SOMASHEKAR., ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR ENTIRE RECORDS FROM THE ADDL. INDUSTRIAL TRIBUNAL, BENGALURU, VIDE ANNEX-A, QUASH THE AWARD DTD 30.11.2018 PASSED BY THE ADDL. INDUSTRIAL TRIBUNAL, BENGALURU, IN A.I.D.NO.19/2014 VIDE ANNEX-A, TO THE EXTENT THE PETITIONER IS AGGRIEVED SINCE THE LABOUR COURT HAS COMMITTED ERRORS WHICH ARE APPARENT ON THE FACE OF THE RECORDS, DIRECT THE

Digitally signed
by
SHARADAVANI
B
Location: High
Court of
Karnataka



NC: 2026:KHC:15996
WP No. 12070 of 2021
C/W WP No. 10462 of 2019

RESPONDENT TO CONFIRM THE SERVICES OF 164 WORKMEN SHOWN IN THE ORDER OF REFERENCE AND WITH FURTHER DIRECTION TO EXTEND THE BENEFIT OF ADDING A SUM OF RS.600 TO THE BASIC PAY OF THESE 164 WORKMEN IN PURSUANCE OF THE MEMORANDUM OF SETTLEMENT DTD 12.08.1997 AND TO PAY ARREARS OF SALARY FLOWING FROM SUCH REVISION OF PAY.

IN WP NO. 10462/2019

BETWEEN:

M/S HIMALAYA DRUG COMPANY LTD
MAKALI, NELAMANGALA TALUK,
BENGALURU-562123
REPRESENTED BY ITS DIRECTOR-HR,
SRI K G UMESH

...PETITIONER

(BY SRI. SOMASHEKAR., ADVOCATE)

AND:

THE PRESIDENT
KARNATAKA WORKERS UNION (R)
AFFILIATED TO CITU,
CITU OFFICE, V G GOPAL BUILDING,
20/1, LALBAGH FORT ROAD,
BENGALURU-560004

...RESPONDENT

(BY SRI. V.S.NAIK ., ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH ONLY THAT PORTION OF THE AWARD DATED 30.11.2018 IN AID NO.19/2014 PASSED BY THE ADDITIONAL INDUSTRIAL TRIBUNAL, BENGALURU AT ANNEXURE-P TO THIS W.P, DIRECTING TO PAY RS.600/-, INCREASE IN BASIC WAGE TO EACH OF THE 164 EMPLOYEES PROSPECTIVELY FROM 30.11.2018, AND ETC.,

THESE WRIT PETITIONS, COMING ON FOR REPORTING SETTLEMENT, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

W.P.No.12070/2021 is filed by the employee-Union and W.P.No.10462/2019 is filed by the employer-Establishment assailing the award dated 30.11.2018 passed in AID.No.19/2014 on the file of Additional Industrial Tribunal, Bengaluru.

2. Learned counsel for the Union, the Establishment, representatives of Union and as well as the Establishment are present before the Court and they jointly submit that the dispute between the parties is amicably settled and they have voluntarily entered into the settlement.

3. The joint memo is filed incorporating terms and conditions of the settlement. The joint memo is signed by the representative of the Union as well as the Establishment and also by the learned counsel for the Establishment and the Union.

4. The Court has gone through the terms and conditions of the settlement.



5. After going through the terms and conditions of the settlement, the Court does not find any impediment to accept the terms of the settlement.

6. Joint memo is filed reporting settlement, and the terms of the joint memo dated 18.03.2026, read as under:

"Whereas, the petitioner in W.P.No.10462/2019 (L-Res) filed the above writ petition challenging the Award dated 30.11.2018 in A.I.D.No.19/2014 passed by the Additional Industrial Tribunal, Bengaluru directing the petitioner to pay Rs.600/- increase in basic wages to each of the 164 employees on 30.11.2018;

And whereas, it is consistent stand of the petitioner that workmen concerned in this writ petition are not entitled to benefit claimed by them as the settlement dated 12.08.1997 applied only to the confirmed permanent workmen of the company based at Bengaluru on the rolls of the company as on the date of settlement.

And whereas, the workmen numbering around 193 members of Bangalore Mazdoor Sangh started demanding that even these 193 workmen who were not confirmed permanent workmen of the company as on the date of signing of the settlement should be given the benefit of Rs.600/- in their basic wages;

And whereas, this demand was negated time and again by the petitioner management.

And whereas, in its charter of demands issued subsequently for the subsequent period, the union made a demand that 193 workmen who were made permanent after signing the settlement dated 12.08.1997 should be given wage increase of Rs.600/- in their basic wages. Settlement was entered into pursuant to this charter of demands, wherein again the petitioner did not agree with the demand;

And whereas, the union took up the matter in A.I.D.No.19/2014 and filed claim statement demanding



that 193 workmen should be given increase of Rs.600/- as per 1997 settlement;

And whereas, the management filed its counter statement. Thereafter, the Additional Industrial Tribunal in A.I.D.No.19/2014 passed an Award dated 30.11.2018, which is under challenge before this Hon'ble Court in the above writ petition;

And whereas the workmen also filed Writ Petition No.12070/2021 (L-Res) challenging the very same award and raised the issue with regard to passing of award giving the benefit of Rs.600/- increase from 30.11.2018;

And whereas, during the hearing of the writ petitions, it was felt that workmen out of whom only 92 workmen are in service should be given same amount on human consideration, though strictly as per law, they are not entitled to the benefit of the settlement dated 12.08.1997;

And whereas, after discussions, the parties have entered into a settlement on the following terms:

TERMS OF SETTLEMENT

- 1) The management, as a special case, without accepting any liability towards payment of Rs.600/- to the workmen purely on humanitarian consideration, have agreed to pay an amount of Rs.300/- to be split up and added to the basic wages and other components with effect from 01.04.2026 in respect of 92 workmen on the rolls of the company as on 01.04.2026 as per the list enclosed.*
- 2) The 94 workmen now still working are agreeable to the management proposal and on their own expressed satisfaction with the terms of settlement and have agreed to receive Rs.300/- in full and final settlement of all their claims in respect of their claim made in Ref.No.AID No.19/2014, which is now under challenge and in full settlement of the claims made by them in W.P.No.12070/2021 (L-Res).*
- 3) It is made clear to the union and the workmen that apart from 94 workmen who are still on the rolls of the factory located at Tumkur Road, Bengaluru, no other workmen who were not paid Rs.600/- as they are not entitled to the said amount, shall make any claim against the petitioner on the ground that 92 other workmen who*



were working with them are now given the benefit of increase of Rs.300/- from 01.04.2026. The union and the workmen also understand that such claim is untenable, because increase agreed to be given is from 01.04.2026 and not for the earlier period.

- 4) *With a view to ensure that workmen individually will not approach the Court demanding any increase other than what is given in this settlement, and to ensure that they do not challenge the settlement on any ground whatsoever, each of the 92 workmen shall sign letter of acceptance of the terms of settlement and then receive the benefit.*
- 5) *In the light of the above settlement, it is prayed by the parties that this Hon'ble Court may be pleased to substitute the Award dated 30.11.2018 passed in A.I.D.No.19/2014 by the Additional Industrial Tribunal at Annexure 'P' in W.P.No.10462/2019 which is also in Annexure 'A' in W.P.No.12070/2020 in terms of this settlement in the interest of justice."*

7. The impugned award is set aside and substituted in terms of the joint memo. This Court does not find any reason to reject the proposal for settlement.

8. Accordingly, the Writ Petition is ***disposed of*** in terms of joint memo.

**Sd/-
(ANANT RAMANATH HEGDE)
JUDGE**