



CNR: KAHC010128562018

NC: 2026:KHC:42908
WP No. 35922 of 2018

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 35922 OF 2018 (L-KSRTC)

BETWEEN:

KARNATAKA STATE ROAD
TRANSPORT CORPORATION,
CHAMARAJANAGAR DIVISION,
CHAMARAJANAGARA,
BY ITS DIVISIONAL CONTROLLER,
REPRESENTED BY ITS
CHIEF LAW OFFICER.

...PETITIONER

(BY SMT. RENUKA H.R., ADVOCATE)

AND:

CHIKKANNA NAYAKA,
S/O. LATE BETTA NAYAKA,
AGED ABOUT 40 YEARS,
R/O. HEERIKYATANAHALLI
VILLAGE POST, HUNSUR TALUK,
MYSURU DISTRICT-571105.

...RESPONDENT

(RESPONDENT CALLED OUT - ABSENT)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN
RELIEFS.

THIS WRIT PETITION IS LISTED FOR HEARING, THIS
DAY, AN ORDER IS MADE AS UNDER:



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ORAL ORDER

Smt. H.R. Renuka, counsel for the petitioner, appeared in person.

The respondent's name was called out three times in open court, but he was absent. According to the daily order sheet dated 07.08.2026, counsel Sri V.S. Naik filed a memo for his retirement, which was accepted by the court. The respondent did not appoint another advocate nor appeared in person to represent himself. Therefore, the court considers it appropriate to decide the case on its merits.

2. The short facts are these:

The respondent, a Conductor, was on duty and undergoing job training on bus No.F 3278, operating on the Mysore to Dharamasthala route. During a check at Dharamasthala, it was found that he committed misconduct by failing to issue tickets to two passengers travelling from Mysore to Dharamasthala and not collecting Rs.131/- from each of them. Additionally, he did not issue tickets or collect Rs.12/- from two passengers travelling from Kokkada to



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Dharamasthala. These ticketless passengers were fined, and an offence memo was issued to him on the spot. A show cause notice was also issued, accusing him of the charges. He responded to the notice, attended the inquiry, admitted the charges, signed the order sheet, and recorded his guilt, leading to a decision to close the inquiry. The inquiry officer found the charges proved and submitted the findings. A second show cause notice was issued with the inquiry report, but he did not respond. The disciplinary authority accepted the findings, considered his past record of 38 cases during his trainee period, and removed his name from the trainee list on 23.01.2013 for misconduct.

Aggrieved by the decision, he contested the matter under Section 10(4-A) of the I.D. Act in the Labor Court. The Court found that the domestic inquiry conducted by the Corporation was unfair and invalidated the punishment through its award dated 28.06.2017. Consequently, the Corporation has now filed this writ petition based on multiple grounds outlined in the petition's memorandum.



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3. Counsel for the petitioner advanced several contentions. I have heard the arguments and perused the writ papers with utmost care.

4. The question for consideration is whether the award of the Labor Court warrants interference.

5. The facts are adequately presented and do not need to be repeated. It is important to highlight that during the inquiry proceedings, the delinquent admitted guilt, as shown in the inquiry officer's order sheet dated 15.06.2012, which is read as follows:

"The case called. The delinquent present. The delinquent has accepted the charges on his own accord without anybody's advice and further requests to close the enquiry; accordingly, the enquiry is closed on his own request."

The Labor Court found that the Corporation's domestic inquiry was neither fair nor proper and did not accept the delinquent's guilt admission. It reasoned that the inquiry officer should have explained the implications of admitting guilt and



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recorded this in the order sheet. This view is incorrect. A review of the inquiry officer's order sheet clearly shows that he admitted guilt himself and endorsed it by signing. Therefore, the Labor Court's conclusion that the inquiry was unfair and improper is unwarranted. Additionally, no rule or practice mandates that the inquiry officer must explain the consequences of guilt admission to the delinquent. With the guilt admission, the charge is deemed proved.

This Court has already determined that the domestic enquiry conducted by the Corporation was fair and proper, so no further discussion is necessary on that point. The Labor Court had given a merits-based verdict because it found the domestic inquiry to be unfair. However, since this Court has overturned the order on the preliminary issue, additional discussion on the case's merits is unnecessary. Regarding the charges, the evidence presented before the Labor Court does not indicate any victimisation.

This Court concludes that the punishment is not disproportionate to the misconduct, considering he was involved in 38 misconduct cases during his training period. The



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punishment order is not perversely made, nor is there any evidence of victimisation.

6. Finally, the petitioner's counsel states that a memo has been submitted indicating that, following the interim order, the respondent was employed at the Corporation and involved in a default case during his tenure. He was subsequently dismissed again and filed a dispute in I.I.D.No.6/2021, which was dismissed on 09.03.2023. The dismissal order has been upheld. The counsel requests that the memo be admitted into record and that a suitable order be issued.

7. Submission acknowledged and memo recorded. Upon review, it is evident that after reinstatement, the respondent was involved in default cases while working. His past and current conduct suggest a lack of diligence in performing his duties. Such an employee does not deserve any sympathy, especially not misplaced support.

8. The writ of certiorari is ordered. The order dated 18.11.2014 passed by the Labor Court, Mysuru, in I.I.D.No.02/2015, vide Annexure-M, and the award dated



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28.06.2017 passed by the Labor Court, Mysuru, in I.I.D.No.12/2016, vide Annexure-P, are quashed. The order of dismissal is confirmed.

9. Resultantly, the Writ Petition is ***allowed***.

Because of the disposal of the Writ Petition, pending interlocutory applications, if any, are disposed of, and interim relief, if any, stands discharged.

**SD/-
(JYOTI M)
JUDGE**

MRP
List No.: 1 Sl No.: 68