



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 10TH DAY OF MARCH, 2026
BEFORE
THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE
WRIT PETITION NO. 14739 OF 2021 (L-RES)

BETWEEN:

WORKMEN OF HINDUSTAN AERONAUTICS LIMITED
REPRESENTED BY THE HINDUSTAN AERONAUTICS
EMPLOYEES ASSOCIATION
A TRADE UNION REGISTERED UNDER THE
TRADE UNIONS ACT, 1926
HAVING ITS OFFICE AT HINDUSTAN
AERONAUTICS LIMITED
VIMANAPURA POST, BENGALURU - 560 017
REPRESENTED BY ITS GENERAL SECRETARY.

...PETITIONER

(BY SRI MAITREYI KRISHNAN, ADV.)

AND:

1. HINDUSTAN AERONAUTICS LIMITED
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 1956
REGISTERED AND CORPORATE OFFICE
AT NO.15/1, CUBBON ROAD
BENGALURU - 560 001
REPRESENTED BY ITS
MANAGING DIRECTOR.
2. EXECUTIVE DIRECTOR - (HR)
HINDUSTAN AERONAUTICS LIMITED
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 1956
REGISTERED AND CORPORATE OFFICE
AT NO.15/1, CUBBON ROAD
BENGALURU - 560 001.

...RESPONDENTS



(BY SRI SYED KASHIF, ADV., FOR
SRI PRADEEP S SAWKAR, ADV., FOR R-1 & R-2)

THIS W.P. FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE COMMUNICATION ISSUED BY THE R-2 DATED.24.7.2021 ANNEXURE-E AND COMMUNICATION DATED.26.7.2021 ANNEXURE-G AND DIRECT TO THE RESPONDENT TO ENSURE THE PAYMENT OF WAGES W.E.F 01.09.2021 ONWARDS TO ALL WORKERS IN THE WORKMEN CATEGORY OF THE RESPONDENT AS PER THE MEMORANDUM OF SETTLEMENT DTD.10.12.20198 ANNEXURE-A.

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

I.A.No.1/2026 is filed seeking early hearing. Learned counsel for the respondent submits that case may be heard on merits. Accordingly, IA No.1/2026 is allowed.

2. Learned counsel for the petitioner would submit that petition is filed to quash Annexures-E and G. In terms of Annexure-E dated 24.07.2021, Annexure-G dated 26.07.2021, the Management proposed to revise the wages payable to workmen with effect from 01.01.2017.



3. Learned counsel for the petitioner would also submit that, the petitioner has also sought a direction to the respondents to ensure payment of wages with effect from 01.09.2021 onwards to all workers falling under the workmen category of respondent-Establishment as per the Memorandum of Settlement dated 10.12.2019 which is marked as Annexure - A.

4. It is submitted that the wages fixed by the respondent-Establishment for the officers was a subject matter of challenge before this Court in W.P.No.14734/2021 [EDN-RES] and the same is quashed in terms of the order dated 27.01.2025 and the said order has attained finality. A copy of the said order is produced as Annexure-H along with the application for production of additional documents.

5. Learned counsel for the respondents does not dispute the fact that the order fixing the wages for the officers is quashed by this Court in terms of the aforementioned order.



6. It is also submitted that the order passed by this Court in W.P.No.14734/2021 is accepted by the respondents establishment. In paragraphs No.36, 37, 38, 39 and 41 of the said order, the Court has held as under:

"XXXXXXXXXXXX

36. *The eventual direction made in this case of a report after hearing containing views of employees to be placed before the Ministry for appropriate consideration by itself would render the exercise of hearing an effective methodology of appraising the Government of their views.*
37. *Accordingly, it cannot be held that the hearing now to be made by the respondent employer would be a futile exercise as they are bound by the directions of the Government.*
38. *In light of the discussion made above the impugned orders of re-fixation of pay are set aside.*
39. *If the respondent Authorities are of the opinion that they would seek to re-do the exercise of revisiting the revision of pay scale rather than letting the matter to rest, the Authorities are to afford an opportunity of hearing to the petitioner and other employees who seek to avail of the*



opportunity of hearing. Upon hearing the petitioner, the respondents are obliged to place before the Government a report containing the views of petitioner and other employees on audit objections for It is true that appropriate consideration.

40. XXXX

41. *It is also to be noticed that irrespective of the decision taken either by the employer, i.e. the respondent or the Government, the recovery cannot be contrary to the judgments of the Apex Court in the case of State of Punjab and Others v. Rafiq Masih (White Washer) and Others¹."*

7. It is seen from the communication dated 27.01.2025 at Annexure-J, revision of pay scale to the officers came into effect from 01.01.2017. Since the challenge which is raised in the present petition is similar to the challenge that was raised in W.P.No.14734/2021 referred to above.

8. Notwithstanding the fact that the learned counsel for the respondent has vehemently opposed the petition on

¹ (2015) 4 SCC 334



the ground that the petitioner has an alternative remedy, the Court is of the view that the petition has to be allowed and the impugned revision of wages at Annexures-E and G have to be quashed.

9. Hence, the following:

ORDER

- (i) The Writ Petition is ***allowed.***
- (ii) The impugned orders at Annexures-E and G are quashed.
- (iii) No order as to costs.

Sd/-
(ANANT RAMANATH HEGDE)
JUDGE

SA
List No.: 1 SI No.: 4