



CNR: KAHC010296072026

NC: 2026:KHC:55224
WP No. 12996 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 12996 OF 2026 (L-RES)

BETWEEN:

THE PRINCIPAL SECRETARY
LGB FORGE STAFF EMPLOYEES UNION
NO.127, NALA BEEDI, K.R. MOHALLA
MYSURU-570 001.

...PETITIONER

(BY SRI. NAIK V S., ADVOCATE)

AND:

THE MANAGING DIRECTOR
LGB FORGE PRIVATE LIMITED
5TH MAIN, K.R.S. ROAD
METAGALLI POST, MYSURU-570 016.

...RESPONDENT

(RESPONDENT SERVED)

THIS WP IS FILED UNDER ARTICLE 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO ORDER OR GIVE DIRECTION TO QUASH THE IMPUGNED DATED: 29.10.2025 PASSED BY THE LABOUR COURT, MYSURU IN REF. NO. 25/2019 TO THE EXTENT THE CONCERNED WORKMEN ARE AGGRIEVED VIDE ANNEXURE-C BY WHICH THE LABOUR COURT HAS DENIED FULL BACK WAGES AND ALL CONSEQUENTIAL BENEFITS TO THE CONCERNED WORKMEN AFTER HOLDING THAT THE RESPONDENT IS NOT JUSTIFIED IN IMPOSING A HARSH PUNISHMENT OF DISMISSAL AND THE AWARD IS ARBITRARY, ILLEGAL AND LIABLE TO BE SET ASIDE TO THE EXTENT THE CONCERNED WORKMEN ARE AGGRIEVED AND ETC.

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

Digitally Signed by NARENDRA PRASAD
HAREKOPPA THIMMANNA GOWDA





CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

1. This writ petition is filed challenging the order dated 29.10.2025 passed by the Labour Court at Mysore in Reference No.25/2019, whereby the Labour Court has partly allowed the reference and directed the respondent-Second Party to reinstate the petitioner-First Party into service with continuity of service, without back wages and without consequential benefits.

2. For the sake of convenience, the parties are referred to as per their ranking before the Labour Court. The petitioner herein is referred to as First Party and respondent is referred to as Second Party.

3. The First Party is the LGB Forge Staff Employees Union. Seven employees were working with the Second Party-Factory in different capacities. The Second Party initiated domestic enquiry against the said employees, who are members of the First Party-Union, and pursuant



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to the said enquiry, they were dismissed from service by order dated 29.09.2018. Being aggrieved by the same, the First Party sought a reference before the competent authority. Accordingly, the competent authority referred the dispute to the Labour Court for adjudication on the following points:

1. ಆಡಳಿತ ವರ್ಗದವರಾದ ಮೇಎಲ್.ಜಿ.ಬಿ ಫೋರ್ಜ್ ಲಿ., 5 ನೇ ಮೈಲಿ, ಕೆ.ಆರ್.ಎಸ್ ರಸ್ತೆ, ಮೇಟಗಲ್ಲಿ ಅಂಚೆ, ಮೈಸೂರು ಇವರು ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ, ಎಲ್ ಜಿ ಬಿ ಫೋರ್ಜ್ ಸ್ಟಾಫ್ ಮತ್ತು ಸಿಬ್ಬಂದಿವರ್ಗದ ಎಂಪ್ಲಾಯೀಸ್ ಯೂನಿಯನ್, ನಂ.127, ನಾಲಾ ಬೀದಿ ಕೆ.ಆರ್ ಮೊಹಲ್ಲಾ, ಮೈಸೂರು ಇವರಿಂದ ಪ್ರತಿನಿಧಿಸಲ್ಪಡುವ ಕಾರ್ಮಿಕರಾದ 1) ಶ್ರೀ ಜಗದೀಶ್ ರಾವ್ ಆರ್ (ಎಂಪ್ಲಾಯೀ ನಂ.44), 2) ಶ್ರೀ ಅನಂತ ರಾವ್ (ಎಂಪ್ಲಾಯೀ ನಂ.130), 3) ಶ್ರೀ ಚಿಕ್ಕಸಿದ್ದಯ್ಯ (ಎಂಪ್ಲಾಯೀ ನಂ.258), 4)ಶ್ರೀ ಎಸ್.ರಂಗನಾಥ (ಎಂಪ್ಲಾಯೀ ನಂ.546), 5) ಶ್ರೀ ಆರ್.ಮಂಜು (ಎಂಪ್ಲಾಯೀ ನಂ.30), 6)ಶ್ರೀ ಶಿವಕುಮಾರ್ ಕೆ.ಎಂ. (ಎಂಪ್ಲಾಯೀ ನಂ.127) ಹಾಗೂ 7) ಶ್ರೀ ಶ್ಯಾಮು (ಎಂಪ್ಲಾಯೀ ನಂ.317), ಇವರುಗಳನ್ನು ದಿನಾಂಕ:29.09.2018 ರಿಂದ ಸೇವೆಯಿಂದ ವಜಾಗೊಳಿಸಿರುವುದು ನ್ಯಾಯಸಮ್ಮತವೇ?
2. ಹಾಗಿಲ್ಲದಿದ್ದಲ್ಲಿ ಸದರಿ ಕಾರ್ಮಿಕರು ಯಾವ ಪರಿಹಾರಕ್ಕೆ ಅರ್ಹರು?



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4. Pursuant to the reference, the Labour Court has registered the reference as Reference No.25/2019. On the basis of the pleadings of the parties, the Labour Court has framed the following issues and additional issue for consideration:

- 1) *Whether the Second Party proves that the domestic enquiry conducted by it against the First Party workmen is just and fair?*
- 2) *Whether the First Party workmen prove that they have been illegally dismissed from service on 29.09.2018?*
- 3) *What order or award?*
(Issue No.1 shall be treated as preliminary issue)

ADDITIONAL ISSUE:

- 1) *Whether the Second Party proves that First Party is not a workman as defined u/s 2(s) of I.D.Act?*

5. After hearing the parties, the Labour Court answered Issue Nos.1 & 2 and the additional issue in the affirmative and Point No.1 in the negative. Issue No.3 and Point No.2 were answered in terms of the final order. Consequently,



by order dated 29.10.2025, the Labour Court partly allowed the reference and directed the Second Party to reinstate the First Party workmen with continuity of service, without backwages and consequential benefits, within one month from the date on which the award becomes enforceable. Being aggrieved by the denial of backwages and consequential benefits, the present writ petition is filed.

6. Learned counsel appearing for the petitioner contended that the Labour Court has failed to consider the materials produced by the First Party to show that they remained unemployed for all the years from 29.09.2018 till date without any earnings. Without considering these aspects of the matter, the Labour Court has held that the First Party has not produced any material to show that they remained unemployed for all these years. He further contended that the Labour Court after setting aside the dismissal order passed by the Second Party against the



First Party workmen as illegal, ought not to have denied the backwages and consequential benefits. Hence, he sought for allowing the petition.

7. Respondent is served and unrepresented.

8. The First Party workmen were working with the Second Party-Factory and were dismissed from service with effect from 29.09.2018 pursuant to the domestic enquiry. The First Party challenged the said order before the Labour Court. The workmen produced evidence to show that they remained unemployed and had no earnings after 29.09.2018. However, the Labour Court has not properly considered the said evidence while denying the consequential benefits.

9. The Labour Court has held that the dismissal of the First Party workmen was illegal and has directed their reinstatement with continuity of service. Once the dismissal is held to be illegal and reinstatement with



continuity of service is ordered, the workmen are ought to be entitled to the benefits attached to such continuity of service. Therefore, denial of consequential benefits by the Labour Court, is unsustainable. However, having regard to the facts and circumstances of the case, the denial of backwages does not call for interference.

10. In view of the above, this Court is of the opinion that the impugned order requires modification to the limited extent of granting consequential benefits. Hence, the following:

ORDER

- a) Writ petition is partly allowed.
- b) The order dated 29.10.2025 passed by the Labour Court at Mysore in Reference No.25/2019 is modified to the aforesaid extent.
- c) The First Party workmen are entitled to all consequential benefits arising out of continuity of service.



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- d) The Second Party is directed to grant all consequential benefits arising out of continuity of service, within one month from the date of receipt of certified copy of this order.

Digitally Signed by NARENDRA PRASAD
HAREKOPPA THIMMANNA GOWDA

(H.T. NARENDRA PRASAD)
JUDGE

DM
LIST NO.: 1 SL NO.: 32