



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MR. JUSTICE RAJESH RAI K

WRIT APPEAL NO. 3093 OF 2018 (L-RES)

BETWEEN:

M/S. PEPSICO INDIA HOLDINGS (P) LTD.,
34TH KM, NH-4, TEPPADABEGUR,
NELAMANGALA TALUK,
BANGALORE-562 123,
NOW REP. BY ITS PLANT MANAGER,
MR.ESWARMOORTHY.S,

...APPELLANT

(BY MISS.MAITREYI B. KANNUR, ADVOCATE)

AND:

KARNATAKA ENGINEERING &
GENERAL WORKERS UNION
NO.12, 2ND FLOOR, PALACE GUTTAHALLI,
MALLESHWARAM, BANGALORE
REP. BY ITS GENERAL SECRETARY

...RESPONDENT

(BY SRI.K.S.SUBRAMANYA, ADVOCATE FOR C/R)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, PRAYING TO SET-ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE PASSED IN WRIT PETITION NO.36181/2009 (L-RES) DATED 05/10/2018 AS ALSO THE IMPUGNED AWARD DATED 25.09.2009 PASSED BY THE ADDITIONAL INDUSTRIAL TRIBUNAL IN AID NO.1/03 [ANNEXURE-H] AND CONSEQUENTLY ALLOW THE WRIT PETITION NO.36181/2009.

Digitally
signed by
KAVYA.G
Location:
High Court
of Karnataka



THIS APPEAL, COMING ON FOR ORDERS, THIS DAY,
JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MR. JUSTICE RAJESH RAI K

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

Pursuant to a reference being made by the appropriate Government to the Additional Industrial Tribunal, Bangalore in A.I.D. No.1/2003 between Karnataka Engineering and General Workers Union, No.12, 2nd Floor, Palace Guttahalli, Malleshwaram, Bangalore and the appellant herein, an award was made on 25.09.2009 on the following points of dispute:

"1) *Whether the Second Party management of M/s. PepsiCo India Holdings (P) Ltd., 34th KM, NH-4, Tepada Begur, Bangalore Rural District, is justified in transferring Sri.Govindaiah and the other 14 following workmen to Aurangabad with effect from 20/21.12.2002?*

(1) Raju.R., (2) Ashok Kumar K.S.,
(3) Basavaraj H.S., (4) Balakrishna G.S.,
(5) Devaraju G, (6) Karibasappa, (7) Mallanagowda S. Patil,
(8) Nagaraju.R., (9) Ravindra K.,
(10) Shivakumaraswamy K.M., (11) Siddeshwara C.,
(12) Venkateshmurthy M., (13) Siddarangaiah,
(14) Vasanthkumar P.N."

2) *If not, to what relief the said workmen are entitled to?"*



2. The reference was allowed in respect of four workmen mentioned at Sl.Nos.1, 2, 8 and 10 that is Raju R, Ashok Kumar K.S., Nagaraju R and Shivakumaraswamy K.M. The reference with regard to the other workmen was rejected. The workmen named aforesaid were directed to be taken on duty by the appellant and the appellant was directed to pay the arrears of salary, with benefit of continuity of service and all service benefits payable during the period in question.

3. Post the award, a writ petition was filed by the appellant which came to be rejected by the impugned order dated 05.10.2018 by a learned single Judge of this Court. Thereafter, the appellant preferred this instant appeal. The aforesaid four workmen have entered into four separate settlement agreements with the appellant. These settlement agreements in their originals have been brought on record today by the appellant, which we have perused.

4. As noted in the order of 27.03.2026, the original demand drafts which formed part of the respective settlements were handed over to the respective workmen on that day itself. They had acknowledged receipt of that in the presence of the



Court. Today the signatories of the aforesaid four agreements are present before the Court, who have been identified by their respective advocates. The workmen have also submitted photocopies of their Aadhaar cards duly counter signed by their advocate. In view of the settlement, no further issue survives between the parties.

5. Accordingly, this Writ Appeal is disposed of in terms of the aforesaid four settlements. The four settlements are made part of the record. All the four settlements shall form part of this order. The directions made in the previous order of the Court including payment of costs has been complied with by the appellant which is duly acknowledged by the respondent.

I.As if any, that are pending stand disposed of.

**Sd/-
(JAYANT BANERJI)
JUDGE**

**Sd/-
(RAJESH RAI K)
JUDGE**