



CNR: KAHC010312392019

NC: 2026:KHC:37704
WP No. 29985 of 2019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF JULY, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 29985 OF 2019 (L-KSRTC)

BETWEEN:

SRI. Y.N.BASAVARAJU,
AGED ABOUT 62 YEARS,
S/O. NANJEGOWDA,
R/O. YEREHALLI VILLAGE,
HARANAHALLI HOBLI,
ARSIKERE TALUK,
HASSAN DISTRICT-573 201.

...PETITIONER

(BY SRI. MUKKANNAPPA S.B., ADVOCATE)

AND:

THE DIVISIONAL CONTROLLER,
KSRTC,
CHIKMAGALUR DIVISION,
CHIKMAGALUR-577 101.

...RESPONDENT

(BY SRI. SANJEEV B.L., ADVOCATE)

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

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



CNR: KAHC010312392019

**NC: 2026:KHC:37704
WP No. 29985 of 2019**

ORAL ORDER

Sri.S.B.Mukkannappa., counsel for the petitioner and Sri.B.L.Sanjeev., counsel for the respondent have appeared in person.

2. The short facts are these:

The petitioner was working as a Conductor in the establishment of the Corporation. He came under disciplinary proceedings for an act of misconduct, and an Article of Charge was issued to him. The disciplinary authority appointed an inquiry officer. The inquiry officer conducted a detailed inquiry and submitted findings holding that the charges are proved. The punishment order was passed on 15.02.2001.

Aggrieved by the same, he raised a dispute before the Industrial Tribunal, Mysuru in Reference No.217/2015. The Tribunal held that the domestic inquiry conducted by the Corporation was fair and proper. The Tribunal vide award dated 18.01.2019 rejected the reference. Under these circumstances, this writ petition is filed on several grounds as set out in the Memorandum of Writ Petition.



CNR: KAHC010312392019

NC: 2026:KHC:37704
WP No. 29985 of 2019

3. Counsel for the respective parties urged several contentions. Heard the arguments and perused the papers with care.

4. The point that arises for consideration is whether the award of the Tribunal warrants interference.

5. Suffice it to note that the petitioner was visited with an order of punishment in 2001. Strangely, he raised a dispute only in 2015. There is thus an inordinate delay. The Hon'ble Apex Court in ***PRABHAKAR VS. JOINT DIRECTOR, SERICULTURE DEPARTMENT AND ANOTHER*** reported in ***(2015) 15 SCC 1*** has held that when there is no agitation by the workman against the order of punishment and the dispute is raised belatedly, with the delay and laches remaining unexplained, it must be presumed that he has waived his right. It is further observed that at the time when the dispute is raised belatedly, it becomes stale and ceases to be an existing dispute. Even in the present case, when the dispute was raised by the workman, it had virtually become stale. The dispute was stale at the time of adjudication, having been raised after a lapse of fourteen years. The tribunal, after extensively referring



CNR: KAHC010312392019

NC: 2026:KHC:37704
WP No. 29985 of 2019

to the material on record, rightly rejected the reference. I find no infirmity in the award. Accordingly, the writ petition is ***dismissed.***

Because of the dismissal of the Writ Petition, the interim order granted, if any, stands discharged and pending interlocutory applications, if any, are disposed of.

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

MRP
List No.: 1 Sl No.: 84