



CNR: KAHC010341172013

NC: 2026:KHC:50471
MFA No. 7381 of 2013

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V HOSMANI

MISCELLANEOUS FIRST APPEAL NO. 7381 OF 2013 (WC)

BETWEEN:

1. THE DIRECTOR
PRINTING,
STATIONARY AND PUBLICATION
GOVERNMENT CENTRAL PRESS
NO.6/E, 1ST CROSS
KIADB, PEENYA 1ST STAGE
BANGALORE - 59.
2. THE JOINT SECRETARY
PRINTING,
STATIONERY AND PUBLICATION
GOVERNMENT OUTER ZONE
PRINTING PRESS
MYSORE ROAD
BANGALORE - 59.

...APPELLANTS

(BY SMT.ANITHA GIRISHA, HCGP)

AND:

1. SMT.K.SUDHA
W/O LATE A GOPINATH
AGED ABOUT 47 YEARS
2. SRI G NITESH
S/O LATE A GOPINATH
AGED ABOUT 21 YEARS
3. SRI G SRINIVAS
S/O LATE A GOPINATH
AGED ABOUT 18 YEARS

Digitally signed
by ANUSHA V
Location: High
Court of
Karnataka



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ALL ARE RESIDING AT
NO.59/1, 8TH MAIN ROAD,
2ND CROSS, MATHIKERE
BANGALORE - 560 054.

...RESPONDENTS

(BY SRI MALLIKARJUNA N S., ADVOCATE)

THIS MFA IS FILED U/S 30(1) OF W.C.ACT AGAINST JUDGMENT DATED 22.03.2013 PASSED IN WCA/ECA/FC/CR 4/2011 ON THE FILE OF THE LABOUR OFFICER AND COMMISSIONER FOR WORKMEN COMPENSATION, SUB DIVISION-1, BANGALORE, AWARDING A COMPENSATION OF RS.3,51,080/- WITH INTEREST @ 12% P.A FROM 31.01.2011 TILL THE DATE OF DEPOSIT.

THIS APPEAL IS COMING ON FOR FINAL HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

ORAL JUDGMENT

Challenging judgment and award dated 22.03.2013 passed by Commissioner for Workmen Compensation, Bengaluru (**Commissioner**) in ECA no.ECA/FC/CR-4/2011, this appeal is filed.

2. Smt.Anitha Girisha, learned HCGP for appellant-State submitted that appeal was filed against award passed by Commissioner on ground that award was passed without proper finding about occurrence of incident in course of and out of



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employment. It was submitted, as per claimants-wife and children of A. Gopinath, while he was working as Assistant Machine Minder at Government Press, Peenya, on 05.07.2002, he developed complications due to hemorrhagic shock and hematemesis and despite being taken to Kirloskar Hospital, he died on 06.07.2002. It was submitted, deceased was addicted to alcohol and died on account of complications arising out of said addiction. Therefore, incident cannot be stated to have occurred in course of and out of employment. There was no causal connection between death and occupation and therefore, submitted that substantial question of law would arise for consideration and sought for answering same in favour of appellant and to set aside award by allowing appeal.

3. Sri Mallikarjuna NS., learned counsel for respondent-claimants on other hand would oppose appeal. It was submitted, appellants had not led any evidence to substantiate that on date of incident, workman was not on duty. Claimants had very clearly pleaded that incident had occurred while deceased was on duty and Commissioner, on basis of material and record passed award. It was submitted,



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whether incident of death occurred in course of and out of employment was a question of fact and no substantial question of law would arise for consideration and therefore, appeal under Section 30 of Employees' Compensation Act, 1923 (formerly the Workmen's Compensation Act) (**ECA**) would not be tenable. On above grounds, sought for dismissal of appeal.

4. Heard learned counsel and perused impugned judgment and record.

5. From above, occurrence of incident leading to death of A. Gopinath working as Assistant Machine Minder in Government Central Press, Peenya, occurrence of incident leading to his death on 06.07.2002 is not in dispute.

6. In claim petition, claimants sought to rely upon Survivorship Certificate, Ration Card, Death Certificate, Pension Order, Pay slips and Office Order about grant of compassionate appointment to claimant no.1. Perusal of impugned award would indicate that before Commissioner, appellants-State took up a contention that death was due to non-occupational, self-inflicted hazard i.e., addiction of alcohol and incident did not



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occur while he was in employment. However, neither before Commissioner nor before this Court, State has produced any record to show that on date of incident i.e., on 05.07.2002, deceased was not on duty.

7. Further, grant of appointment on compassionate ground to wife of deceased would imply that death of deceased was in harness. Consequently, when there is some basis for findings of commissioner, findings cannot be stated to suffer from perversity so as to give rise to substantial question of law. Hence, holding that no substantial question of law arises for consideration, appeal is ***dismissed***.

Amount in deposit, if any, is ordered to be transferred to jurisdictional Court for disbursal.

**Sd/-
(RAVI V HOSMANI)
JUDGE**

AV
List No.: 1 SI No.: 19