



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 22ND DAY OF JUNE, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 20592 OF 2021 (L-RES)

BETWEEN:

SRI. CHANDRASHEKAR H.,
S/O. SRI. HUCHEGOWDA,
AGED ABOUT 40 YEARS,
R/AT NO.39, 3RD CROSS,
1ST MAIN ROAD,
KEMPEGOWDA LAYOUT,
LAGGERE, BENGALURU-560058.

...PETITIONER

(BY SMT. SANGEETHA, ADVOCATE FOR
SRI. SRINIVASA K., ADVOCATE)

AND:

1. THE MANAGING DIRECTOR,
M/S. KEONICS LTD.,
NO.29/1, RACE COURSE ROAD,
BENGALURU-560001.
2. KSF9 CORPORATE SERVICES PVT. LTD.,
REP. BY ITS DIRECTOR /PROPRIETOR,
NO.617, SAPTHAGIRI COMPLEX,
3RD FLOOR, VINAYAKA LAYOUT,
NAGARABHAVI 2ND STAGE,
BENGALURU-560072.

...RESPONDENTS

(BY SRI. P.M.NAYAK, ADVOCATE FOR R1;
SRI. ABHIJEET S.K. RAI, ADVOCATE FOR R2)



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

THIS WRIT PETITION IS LISTED FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS UNDER:

ORAL ORDER

Smt.Sangeetha, counsel on behalf of Sri.Srinivasa.K., for the petitioner, Sri.P.M.Nayak, counsel for respondent No.1 and Sri. Abhijeet S.K.Rai, counsel for respondent No.2, appeared in person.

2. The order dated:20.10.2020 passed by the Labor Court in application No.07/2018, is called into question in this writ petition on several grounds as set out in the memorandum of writ petition.

3. Counsel for the respective parties urged several contentions.

Counsel for the petitioner strenuously urged that the respondents had extracted work from the petitioner during the period from April 2013 to March 2014. However, the corresponding wages were not paid. Consequently, the



petitioner was constrained to file an application under Section 33(C)(2) of the Industrial Disputes Act. The Labor Court, however, rejected the said application on erroneous grounds. Urging additional contentions, counsel submitted that the impugned order is unsustainable and liable to be quashed.

4. Heard the arguments and perused the papers with care.

5. The issue revolves within a narrow compass and relates to the rejection of 33(C)(2) application.

6. The petitioner contends that he was appointed by the first respondent as a Data Entry Operator in 2012. During the period from April 2013 to March 2014, the respondents extracted work from him; however, the corresponding wages were not paid. The grievance of the petitioner, therefore, pertains to the non-payment of wages for the said period.

It is a settled principle that an application under Section 33(C)(2) of the Industrial Disputes Act is maintainable only when there exists an award or a pre-existing right capable of being enforced, the proceeding being like execution. In the



present case, there is admittedly no award of the Labor Court which could enable the petitioner to invoke Section 33(C)(2). Consequently, the application filed under Section 33(C)(2) of the Act was not maintainable.

The Labor Court, upon extensive consideration of the material placed on record, rightly rejected the application. I find no grounds to interfere with the said conclusion. Accordingly, the writ petition stands ***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.: 45