



CNR: KAHC010504122026

NC: 2026:KHC:39032-DB
WA No. 1797 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF JULY, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT APPEAL NO. 1797 OF 2026 (L-TER)

BETWEEN:

SMT. ASHA A
W/O SUNDHARAJAN
AGED ABOUT 29 YEARS
R/AT NO.8218, BANAPPA COLONY
YEMALUR, BENGALURU-560 037.

...APPELLANT

(BY DR. RAVI VARMA KUMAR, SR. ADVOCATE FOR
SRI L. MURALIDHAR PESHWA, ADVOCATE)

AND:

1. THE MANAGEMENT OF
HINDUSTAN AERONAUTICS LIMITED
A COMPANY REGISTERED UNDER
THE COMPANY'S ACT, 1956
HAVING ITS REGISTERED OFFICE AT
15/01, CUBBON ROAD
BENGALURU - 560 001
(REPRESENTED BY ITS CHAIRMAN
CUM MANAGING DIRECTOR)
2. THE MANAGEMENT OF HINDUSTAN
AERONAUTICS LIMITED
A COMPANY REGISTERED UNDER
THE COMPANY'S ACT, 1956
INDUSTRIAL HEALTH CENTRE
POST BOX NO. 1796, VIMANAPURA POST

Digitally signed
by VASANTHA
KUMAR B K
Location: HIGH
COURT OF
KARNATAKA



CNR: KAHC010504122026

NC: 2026:KHC:39032-DB
WA No. 1797 of 2026

BENGALURU - 560 017
(REPRESENTED BY THE GENERAL MANAGER)

3. UNION OF INDIA
REPRESENTED BY
THE DEFENSE SECRETARY
MINISTRY OF DEFENSE
NO.104, SOUTH BLOCK
NEW DELHI - 110 001.

...RESPONDENTS

(BY SRI S.S.RAMDAS, ADVOCATE FOR
SRI PRADEEP S. SAWKAR, ADVOCATE FOR C/R1 & R2;
ASG SERVED AND UNPRESENTED)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE THE ORDER DATED 16.07.2026, PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.3039 OF 2026, WHICH VACATED THE INTERIM ORDER DATED 02.02.2026, AS THE ORDER IS MANIFESTLY ERRONEOUS, ILLEGAL, UNCONSTITUTIONAL AND AGAINST THE WELL LAID DOWN PRINCIPLES OF LAW, AND CONSEQUENTLY APPELLANTS MAY BE ALLOWED TO BE CONTINUED WITH THEIR SERVICES AT THE RESPONDENT COMPANY.

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

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

This appeal is taken up for final disposal with the consent of both the learned counsel appearing for the respective parties.



CNR: KAHC010504122026

2. The present appeal is filed against the order passed by the learned Single Judge vacating the interim order that had been operating in favour of the appellants for a period of six months. Learned Single Judge vacated the interim order on the ground that the writ petitions were not maintainable in view of the availability of an alternate remedy under the provisions of the Industrial Disputes Act, 1947.

3. We are not expressing any opinion on the view taken by the learned Single Judge. However, we are of the considered view that when the writ petitions are still pending adjudication, it would not be appropriate to vacate the interim order at this stage.

4. Accordingly, we dispose of the appeal requesting the learned Single Judge to decide the matter finally preferable as expeditiously as possible may be within a period of two months.

5. The parties are directed to extend full cooperation to facilitate early disposal of the writ petitions and shall not



**NC: 2026:KHC:39032-DB
WA No. 1797 of 2026**

CNR: KAHC010504122026

seek unnecessary adjournments before the learned Single Judge.

6. Till the writ petitions are finally decided by the learned Single Judge, the interim order dated 02.02.2026 which was in operation prior to the passing of the impugned order, shall continue to remain in operation.

7. The parties are at liberty to file further pleadings and take all contentions as may be available under the law.

8. The writ appeal stands disposed of in the above terms.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

RKA
List No.: 1 Sl No.: 3