



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF JUNE, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

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

WRIT APPEAL NO. 1400 OF 2024 (L-RES)

BETWEEN:

SRI. K.J.P. CHAUDHARY,
S/O GOPAL CHODARY,
AGED ABOUT 65 YEARS,
C/O RANGANATHA SHETTY,
MOODUMANE HOUSE,
KOLACHUR VILLAGE,
NANDIKOOR POST,
UDUPI DISTRICT - 574 111.

...APPELLANT

(BY SRI. SOHANI A HOLLA., ADVOCATE)

AND:

1. SRI.P. RAMACHANDRA,
AGED ABOUT 60 YEARS,
OPPOSITE SARDARJEE PETROL BUNK,
SUBHASHCHANDRA BOSE CIRCLE,
NEAR STATE BANK ATM,
KARWAR.
2. THE ASSISTANT LABOUR
COMMISSIONER (CENTRAL),
NEAR RAILWAY STATION,
MANGALORE - 575 001.
DAKSHINA KANNADA.

...RESPONDENTS



THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE THE ORDER DATED:12.06.2024 PASSED IN WP No.8738/2014 (LABOUR) AND CONSEQUENTLY SET ASIDE THE ORDER DATED 25.07.2012 IN CLAIM APPLICATION NO.14 OF 2012-B2 PASSED BY THE REGIONAL LABOUR COMMISSIONER- ANNEXURE-D AND ETC.,

THIS APPEAL, COMING ON FOR ORDERS, 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)

Heard Madam Sohani A. Holla, learned counsel for appellant.

2. The present intra Court appeal has been filed impugning the judgment and order dated 12.06.2024 passed by the Writ Court in W.P.No.8738/2014 instituted by the appellant against the order 25.07.2012 passed the



Regional Labour Commissioner-Authority under the Minimum Wages Act, 1948¹ in claim application No.14/2012-B2 vide ***Annexure-D***.

3. The Regional Labour Commissioner rejected the application of the appellant for claim of an amount of Rs.3,24,000/-, as no evidence was led to substantiate the claim of the appellant for Rs.3,24,000/-. The respondent-establishment though has admitted that the appellant's premises was used from 11.06.2009 to 23.11.2010 for a period of 17.5 months, for which the rental amount would work out to Rs.1,22,500/- and against such an amount of Rs.1,22,500/-, an amount of Rs.30,000/- was paid on 08.06.2010. The balance amount of Rs.92,500/- was due towards full and final settlement of the appellant. The learned counsel for the appellant submits that even this amount of Rs.92,500/- has not been paid, though the appellant claim was for Rs.3,24,000/-.

¹ "the Act of 1948 for short"



4. We have considered the submissions. The applicant's claim for Rs.3,24,000/- was not substantiated by leading any evidence. In the absence of the evidence to substantiate the claim for Rs.3,24,000/- the Labour Commissioner dismissed the claim petition.

5. The learned Single Judge has dismissed the writ petition filed by the appellant on the ground of delay. The Authority under the Act of 1948 has considered the facts and circumstances of the case as well as the evidence and has recorded the finding that there is no proof or evidence to substantiate the claim of the appellant for Rs.3,24,000/-. In the absence of such proof/evidence, no order could have been passed on the claim of the petitioner and therefore, the same was dismissed.

6. We exercise only limited jurisdiction of judicial review.

7. When the appellant did not produce any evidence to substantiate his claim for Rs.3,24,000/-, we



are unable to grant him any indulgence for his claim. However, we have read the statement filed by the respondent before the Regional Labour Commissioner in which they have admitted an amount of Rs.92,500/- due and payable to the appellant.

8. We therefore, give liberty to the appellant to approach the Labour Commissioner to realize the said amount, if the respondent has already not paid to the appellant. This t Labour Commissioner should see that this amount which was admitted way back on 14.03.2012 should be paid to the appellant with interest, if already not paid.

9. With the aforesaid direction and observation, we ***dispose of*** this writ appeal.

10. We have not called upon the respondent, as we have passed this order on their admission in their statement of objections dated 14.03.2012.



In view of disposal of appeal, pending application/s if any, does not survive for consideration and the same are disposed of.

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

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

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