



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF JANUARY, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE C M JOSHI

REVIEW PETITION NO. 494 OF 2024

BETWEEN:

ANANDATHEERTHA R,
AGED ABOUT 67 YEARS,
S/O LATE SRI H RAMACHANDRA RAO,
R/AT: NO.39, 5TH MAIN,
BETWEEN 9TH & 10TH CROSS, RK LAYOUT,
PADMANABHA NAGAR, BSK 2ND STAGE,
BENGALURU-560 070.

...PETITIONER

(BY SRI ANANDATHEERTHA.R, PARTY-IN-PERSON;
V/O DATED 31.10.2025 SRI K.S HARISH, ADVOCATE FOR
PETITIONER)

AND:

M/S. MINERVA MILLS,
(UNIT OF NTC), MAGADI ROAD,
BENGALURU, REP BY ITS
DEPUTY GENERAL MANAGER (HR)-560 023.
MR. R. RAJENDRA KUMAR (HEAD OFFICE ADDRESS),
NATIONAL TEXTILE CORPORATION LIMITED (NTC),
SOUTHERN REGION: NTC HOUSE,
35-B, SOMASUNDARAM MILLS ROAD,
COIMBATORE-641 009, TAMIL NADU.

...RESPONDENT

(BY SRI NARASIMHA SWAMY N S, ADVOCATE)

Digitally signed
by NANDINI R
Location: HIGH
COURT OF
KARNATAKA



THIS REVIEW PETITION IS FILED UNDER SECTION 47 R/W 114 OF C.P.C. PRAYING THAT THIS HON'BLE COURT TO (A) THE REVIEW PETITIONER RESPECTFULLY PRAYS THAT THIS HON'BLE COURT RECALL THE DECISION DATED 30.08.2024 IN WRIT APPEAL NO.285 OF 2021 (L) (TER) BY CONSIDERING THE FACTS AND THE REJECTION OF SERIAL APPLICATION NO.94 OF 2000 BY THE HON'BLE INDUSTRIAL TRIBUNAL, BENGALURU, IN ITS ORDER DATED 13.01.2005, WHICH REJECTED THE APPROVAL OF THE DISMISSAL OF THE WORKMAN FROM SERVICES ETC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE C M JOSHI

ORAL ORDER

(PER: HON'BLE MR. JUSTICE C M JOSHI)

1. The respondent in W.A. No.285/2021 is before this Court in this review petition seeking review of the judgment dated 30.08.2024 whereby the appeal came to be allowed and the order of the learned Single Judge in W.P.No.48381/2012 (L-TER) and the order of the Labour Court came to be set aside. Consequently, the order dismissing the review petitioner was confirmed.

2. We noticed that the review petitioner was issued with two separate charge-sheets dated 07.03.1998 and 24.07.1998 in respect of the irregularities committed by him while he was working



with the respondent. Not being satisfied with the explanation offered by the review petitioner, separate enquiries were initiated and culminated in a finding that the charges levelled were proved. A second show-cause notice was issued, but the review petitioner did not respond to it. Consequently, the disciplinary authority accepted the findings and dismissed the review petitioner from service vide order dated 29.12.2000.

3. It was noticed by this Court in the judgment in WA No.285/2021 that since the dispute in ID 48/1998 was pending before the Industrial Tribunal, an application under Section 33 (2)(b) of the I.D. Act, was filed by the respondent Management before the Tribunal in Application No.94/2000. It was contested and disposed of in favour of the respondent. The Tribunal held that the enquiry was fair and proper.

4. Review petitioner had approached the Labour/Conciliation Officer, seeking reference and upon failure of the conciliation proceedings, a reference was made by the appropriate Government to the Labour Court in Ref. No.77/2005. It came to be decided on 02.12.2001. The Labour Court also held that the



enquiry was fair and proper. The Labour Court found that the punishment imposed is harsh and set aside the order of dismissal from service dated 29.12.2000 and it also awarded the compensation of Rs.5,00,000/-.

5. The said award of the Labour Court was the subject matter of challenge in W.P.No.48381/2012 before the learned Single Judge. And it culminated in affirming the Labour Court's order. The said order passed by the learned Single Judge was questioned before this Court in W.A. No. 285/2021 by the respondent herein and was allowed by the judgment dated 30.08.2024. It is the said judgment, which is sought to be reviewed.

6. The review petitioner submits that his contentions urged before the Court were not considered. His primary thrust is that during the enquiry, he had sought certain documents to show that the documents alleged to have been manipulated by the review petitioner were not in his handwriting, and that the documents sought by him were not placed on record before the enquiry officer.



7. His next prong of the argument is that he was not given an opportunity to cross-examine the management witnesses, and the enquiry conducted was not proper. He further submits that the application filed by the management under section 33(2)(b) was, in fact, not maintainable since there was no such dispute in ID No.48/1998, which was pending. It is submitted that the management had planned and took advantage to file a wrong application No.94/2000 under the shelter of the said case to get approval of dismissal of the petitioner from services. It is alleged that a demand draft for one month's wages was purchased on 26.12.2000, even before the order of dismissal came into effect on 29.12.2000. He submits that these aspects were not considered by this Court. He further submits that the Labour Court observed that the management had not made out a case that, even in the past, the review petitioner had been habituated to misbehaving with management officers or involved in similar misconduct, despite warnings and lesser punishments; he did not improve. But this was shown to be otherwise during the arguments in W.A.No.285/2021 and it was misinterpreted. Therefore, he submits that there is a need for review of the judgment of this Court.



8. This Court has elaborately gone through the report of the enquiry officer in paragraph 15 of the judgment and came to the conclusion that the charges against the respondent stood clearly proved. It was also noticed that the Labour Court had held that the domestic enquiry had been conducted in a fair and proper manner, and therefore, it could not have allowed the reference in favour of the review petitioner by holding it as a case of victimisation. This Court has reproduced paragraphs 20 and 21 of the order of the Labour Court and came to the conclusion that the said order is perverse. Paragraph 25 of the order of the Labour Court was considered and was held to be incorrect. Such conclusions may be found in paras 18, 19, and 20 of the judgment. Therefore, it is evident that the contentions raised by the review petitioner herein were fully considered by this Court. A reasoned and conscious decision has been taken by this Court in W.A. No.285/2021 that the allegations which stood proved do not require any lenient view to be taken, as is taken by the Labour Court and the learned Single Judge.



9. Therefore, we do not find any error apparent on record of the judgment of this Court in W.A.No.285/2021, which calls for a review. Resultantly, the review petition is dismissed.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(C M JOSHI)
JUDGE**

NR/-
List No.: 1 SI No.: 2