



CNR: KAHC010695382025

NC: 2026:KHC:43090
WP No. 32698 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 32698 OF 2025 (L-PG)

BETWEEN:

BISHOP COTTON WOMEN'S CHRISTIAN COLLEGE,
AN EDUCATIONAL INSTITUTION
MANAGED BY CSI KARNATAKA CENTRAL DIOCESE,
HAVING ITS OFFICE AT NO.19,
3RD CROSS, C.S.I. COMPOUND,
MISSION ROAD, BENGALURU-560 027
REPRESENTED BY ITS PRINCIPAL
DR. REVINA. D. REBECCA

...PETITIONER

(BY SRI. ABHINAV R., ADVOCATE A/W
SMT. CHAMPOO KAVYA S., ADVOCATE FOR
SRI. DR. M.SUNIL SASTRY, ADVOCATE)

AND:

1. MR. B.DINESH MURTHY,
S/O. SRI. V.BHASKARAN,
AGED ABOUT 61 YEARS,
R/AT NO.83, 3RD CROSS,
CHANDRAPPA LAYOUT, M.S. PALYA,
VIDYARANYAPURA POST,
BENGALURU-560108.
2. THE LABOUR OFFICER AND
CONTROLLING AUTHORITY,
SUB-DIVISION-7, KARMEEKA BHAVAN,
BANNERUGHATTA ROAD,
BENGALURU-560029.



CNR: KAHC010695382025

NC: 2026:KHC:43090
WP No. 32698 of 2025

3. THE ASSISTANT LABOUR COMMISSIONER,
DIVISION-3, BENGALURU,
ROOM NO.18, GROUND FLOOR,
KARMIKA BHAVANA DAIRY CIRCLE,
BANNERUGHATTA ROAD,
BENGALURU-560029.

...RESPONDENTS

(BY SRI. PRAKASH M.GANIGER, HCGP FOR R2 AND R3;
R1 - SERVED AND UNREPRESENTED)

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

Sri.Abhinav R., counsel along with Smt.Champoo Kavya
S., on behalf of Dr.M.Sunil Sastry, for the petitioner and
Sri.Prakash M. Ganiger, High Court Government Pleader for
respondent Nos.2 and 3 have appeared in person.

Notice to the first respondent was ordered. A perusal of
the office notice depicts that first respondent is served and
unrepresented. He has neither engaged the services of an
advocate nor conducted the case as a party in person.



CNR: KAHC010695382025

NC: 2026:KHC:43090
WP No. 32698 of 2025

2. This petition is filed seeking following reliefs:

- a) Set aside the endorsement issued by the Respondent No.3 dated 17.06.2025 annexed as Annexure-"A".
- b) Issue a Writ in the nature of Mandamus or in the nature of Mandamus directing the Respondent No.3 Appeal registered on 09.06.2025 vide Annexure-"B" and hear the said Appeal in accordance with the Law in the interest of Justice and Equity.
- c) Pass any other order as per the facts and circumstances of the case in the interest of Justice and Equity.

3. Counsel for the respective parties have urged several contentions. Heard, the contentions urged on behalf of the respective parties and perused the Writ papers with utmost care.

4. Suffice it to note that the Controlling Authority passed the order on 15.04.2025. It is pivotal to note that the petitioner preferred an appeal under section 7(7) of the Payment of Gratuity Act, 1972, since there was a delay, an application was also filed for the condonation of the delay. The Appellate Authority declined to register the appeal solely on the



CNR: KAHC010695382025

NC: 2026:KHC:43090
WP No. 32698 of 2025

ground that there was a delay. This is untenable. The reason is apparent. The law is well settled that when there is a delay and an application is filed to condone the delay, the authority, or the court, must allow the applicant to explain the sufficient cause and then pass a detailed order for the delay. In the present case, the Authority, instead of registering the appeal, straight away issued an endorsement and declined the register since there was a delay in filing an appeal. This cannot be sustained. Hence, this Court deems it proper to quash the endorsement and direct the Appellate Authority to register the appeal filed by the petitioner, hear the application for the delay, and then proceed further in the matter following the law.

5. Therefore, the Writ of Certiorari is ordered. The endorsement dated:17.06.2025 vide Annexure-A is quashed.

6. Resultantly, the writ petition is ***allowed***.

**SD/-
(JYOTI M)
JUDGE**

SS
List No.: 1 Sl No.: 27