



CNR: KAHC010724322024

NC: 2026:KHC:44691
WP No. 34318 of 2024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 34318 OF 2024 (S-KSRTC)

BETWEEN:

KARNATAKA STATE ROAD
TRANSPORT CORPORATION
TUMKUR DIVISION
TUMKUR - 572101.
BY ITS DIVISIONAL CONTROLLER
REP BY ITS CHIEF LAW OFFICER

...PETITIONER

(BY SRI. RENUKA H R.,ADVOCATE)

AND:

SYED GHOUSE PEER
LATE SYED ABDUL KAREEM
AGED ABOUT 70 YEARS
REP BY THE
GENERAL SECRETARY
KSRTC & BMTC SAMYUKTHA
KARMIKARA SANGHA
NO.23 4TH MAIN RAOD
MATHIKERE BANGALROE

...RESPONDENT

(SERVED & UNREPRESENTED)

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



CNR: KAHC010724322024

NC: 2026:KHC:44691
WP No. 34318 of 2024

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

ORAL ORDER

Smt.H.R.Renuka, counsel for the petitioner, appeared in person.

Notice was ordered to be served on the respondent. A perusal of the office note indicates that the respondent was served and is unrepresented. He has neither engaged an advocate nor chosen to conduct the case in person.

2. The short facts are as follows:

The respondent was a driver at the Corporation. He was subjected to disciplinary proceedings for an act of misconduct. He was issued with Articles of Charge. The disciplinary authority appointed an inquiry officer. The inquiry officer conducted a detailed inquiry and submitted his findings, holding that the charges were proved. A second show cause notice was issued. The respondent submitted a reply. The disciplinary authority accepted the findings of the inquiry officer, and



CNR: KAHC010724322024

**NC: 2026:KHC:44691
WP No. 34318 of 2024**

consequently, an order of punishment was imposed on 30.07.2008. An appeal was preferred, and it was rejected.

In 2011, the respondent challenged the order of punishment by filing a dispute before the Industrial Tribunal in I.D.No.222/2011. The Tribunal held that the domestic inquiry conducted by the Corporation was not fair and proper. By award dated 27.05.2021, the Tribunal set aside the order of punishment. Under these circumstances, the Corporation is before this Court in this writ petition on several grounds as set out in the memorandum of the writ petition.

3. Counsel for the petitioner urged several contentions.

Counsel for the Corporation contends that the Corporation could not lead evidence on the merits of the case. The case was posted for evidence of witnesses during the COVID-19 pandemic, i.e., in March 2020. Hence, the Corporation was unable to depute witnesses during the period of COVID-19 till March 2021. Counsel, therefore, submits that the matter requires a remand.



CNR: KAHC010724322024

**NC: 2026:KHC:44691
WP No. 34318 of 2024**

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

5. The question for consideration is whether the Tribunal's award warrants interference.

6. The issue falls within a narrow compass. It is not in dispute that the respondent was subjected to disciplinary proceedings and was visited with an order of punishment. He raised a dispute. It is noted that before the Tribunal, the Corporation could not lead evidence, as the matter was posted for the evidence of the witnesses during the COVID-19 pandemic. Hence, the Corporation was unable to enter the witness box during the COVID-19 pandemic to adduce evidence on the merits of the case. Therefore, this Court deems it proper to afford the Corporation an opportunity to lead evidence on the merits of the case. Hence, the matter requires a remand.

7. For the reasons stated above, the award of the Tribunal is liable to be set aside, and so, it is set aside.

8. The Writ of Certiorari is ordered. The award dated 27.05.2021 passed by the Industrial Tribunal, Bengaluru, in



CNR: KAHC010724322024

NC: 2026:KHC:44691
WP No. 34318 of 2024

I.D.No.222/2011 is quashed. The Tribunal is directed to afford an opportunity to the parties to lead evidence on the merits of the case. The Tribunal is directed to issue notice to the parties and proceed further in the matter.

9. Resultantly, the Writ Petition is ***allowed***.

Because of the disposal of the Writ Petition, all pending interlocutory applications, if any, are disposed of, and the interim order, if any, granted by this Court stands discharged.

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

MRP
List No.: 1 Sl No.: 51