



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

WRIT PETITION NO. 35499 OF 2025 (L-RES)

BETWEEN:

THE MANAGEMENT OF
M/S. YAZAKI INDIA PRIVATE LIMITED,
REGISTERED UNDER THE
THE COMPANIES ACT, 1956,
SY.NO.79 AND 80,
NATIONAL HIGHWAY - 48,
KUNIGAL ROAD,
LAKKENAHALLI VILLAGE,
SOLUR HUBLI, MAGADI TALUK - 562 127.
REPRESENTED BY ITS
HEAD LEGAL AND COMPANY SECRETARY,
MR. OMKAR KALGI.

...PETITIONER

(BY SRI. PRASHANTH B.K, ADVOCATE)

AND:

1. THE GOVERNMENT OF KARNATAKA,
DEPARTMENT OF LABOUR,
VIKAS SOUDHA,
VIDHANA VEEDHI,
BENGALURU -560 001,
BY ITS PRINCIPAL SECRETARY.
2. KARNATAKA GENERAL LABOUR UNION,
NO.16/7, MUNI KADIRAPPA LAYOUT,
GRAPHITE INDIA ROAD, HOODY,
BENGALURU - 560 048.
REPRESENTED BY ITS
GENERAL SECRETARY.

Digitally signed
by
SHARADAVANI
B
Location: High
Court of
Karnataka



...RESPONDENTS

(BY SRI.M.RAJAKUMAR, AGA FOR R1;
MS.AVANI CHOKESHI, ADVOCATE FOR R2)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE IMPUGNED ORDER OF REFERENCE DATED 19.02.2025 MADE BY THE R-1 IN LD 355 IDM 2023 ANNEXURE - J; GRANT AN INTERIM ORDER TO STAY THE FURTHER PROCEEDINGS IN REF NO. 155/2025 PENDING BEFORE THE LABOUR COURT FOR RAMANAGARA RAMANAGARAM PURSUANT TO THE NOTICE DATED 27.10.2025 ANNEXURE - K.

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

This petition is filed assailing the order dated 19.02.2025 passed by respondent No.1. In terms of the said order, the alleged dispute between the petitioner and the respondent No.2 is referred to adjudication.

2. Learned counsel appearing for the petitioner - Management would submit that the petitioner had approached this court on 23.08.2024 challenging the order



of reference dated 08.08.2023 in W.P.No.21953/2023 marked at Annexure-G.

3. Learned counsel would submit that, on the first occasion, the appropriate Government declined to refer the dispute under the premise that the persons who raising the alleged dispute are not workmen. Thereafter, it appears that, without there being any application, the dispute is referred to the adjudication in terms of order dated. 8.08.2023, which was the subject matter of challenge in W.P.No.21953/2023.

4. This Court has allowed W.P.No.21953/2023. Learned counsel for the petitioner would invite attention of this Court to the observations made by the Co-ordinate Bench of this Court in terms of the order dated 23.08.2024 which would read as under:

"10.xxx In the instant case, nothing is brought on record to show that any such challenge was made to the first order of reference or any application for seeking reference for the second time was made. Even if the second order was in the exercise of administrative power the same should reflect the



reasons for differing from the earlier order, particularly, in the absence of any such application."

Having made this observation, the Court also set aside the order dated 08.08.2023 and the matter was remitted to the appropriate Government / first respondent in the said petition to consider the matter and to pass an order keeping in mind the observations made hereinabove.

5. Learned counsel for the petitioner inviting the attention to the impugned order would submit that the impugned order dated 19.02.2025 referring the dispute does not assign the reasons, though ordered in the order passed by this Court in W.P.No.21953/2023. Thus, it is urged that the petition has to be allowed and the impugned order has to be set aside.

6. Learned counsel appearing for the respondent No.2 would submit that the dispute is whether the members of the second respondent-Union for whose benefit the cause is espoused, are workmen or not?



The said question has to be decided by the Labour Court and that being the position, the reason assigned by the appropriate Government in the impugned order is more than sufficient and there is no need to set aside the order.

7. The Court has considered the contentions raised at the Bar and perused the records.

8. In terms of the impugned order, in page No. 2, after referring to the previous history as well as the order dated 08.08.2023 passed in W.P.No.21953/2023, the appropriate Government has held that the representatives of the petitioner-Management and the respondent No.2-Union have stuck to their respective stand, as such, the dispute has to be resolved through adjudication under the Industrial Disputes Act, 1947.

9. It is relevant to notice that, the order dated 08.08.2023 impugned in W.P.No.21953/2023 has attained finality, wherein this Court has specifically directed the appropriate Government to assign reasons as to why the



decision taken earlier, not to refer the dispute is changed without there being any application.

10. This being the position, the Court is of the view that the appropriate Government is bound to follow the direction issued by this Court and has to assign the reason as to why the decision taken earlier by declining to refer the dispute is changed and the why dispute is referred to the Labour Court.

11. Learned counsel for respondent No.2 at this juncture would submit that the parties have been heard by the appropriate Government and there need not be any further hearing. The said submission appears to be just and proper. Hence, the following:-

ORDER

- i) The petition is ***allowed***.
- ii) The impugned order dated 19.02.2025 is hereby set aside.



iii) The matter is remitted to the appropriate Government to pass orders on the application seeking reference keeping in mind the observations made in the order dated 08.08.2023.

iv) While passing the order, the appropriate Government is required to assign reasons as to why it declined to refer the dispute for adjudication on earlier occasion, and why it has changed its decision to refer the dispute for adjudication.

v) Nothing is expressed on the merits of the matter.

vi) It is made clear that there cannot be any further hearing of the parties.

vii) The appropriate Government is directed to pass orders based on the materials already available before it. The said exercise shall be completed within 30 days from the date of the receipt of the copy of the order.



viii) In view of the disposal of the main matter, the application in IA No.1/2026 for vacating stay does not survive for consideration.

Sd/-
(ANANT RAMANATH HEGDE)
JUDGE

BSV
List No.: 1 Sl No.: 16