



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH 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. 2012 OF 2025 (L-RES)

C/W

WRIT APPEAL NO. 2046 OF 2025 (L-RES)

IN WA No. 2012/2025

BETWEEN:

1. SRI. A. L. RAMAKRISHNA,
S/O. LAKSHMINARAYANAPPA,
AGED ABOUT 42 YEARS,
RESIDENT OF ANNENAHALLI,
GUMMAREDDYPURA POST,
KOLAR - 563 117.
2. SRI. S. N. RAMESH,
S/O. NANJUNDESHWARA,
AGED ABOUT 42 YEARS,
RESIDENT OF SUGATUR POST,
KOLAR - 563 117.

...APPELLANTS

(BY SRI. SRINIVASA K., ADVOCATE)

AND:

1. THE MANAGING DIRECTOR,
BESCOM, K.R. CIRCLE,
BANGALORE - 560 001.



**NC: 2026:KHC:28979-DB
WA No. 2012 of 2025
C/W WA No. 2046 of 2025**

2. THE SUPERINTENDING
ENGINEER (C AND CO),
BESCOM, KOLAR DIVISION,
KOLAR - 563 117.
3. THE EXECUTIVE
ENGINEER (C AND CO),
BESCOM, KOLAR DIVISION,
KOLAR - 563 117.

...RESPONDENTS

(BY SRI. SHRAVANI, ADVOCATE FOR
SRI. SHESHA KARTHIK REDDY,
ADVOCATE FOR R2 AND R3)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE
THE ORDER PASSED IN WP No.8282/2020(L-RES)
DATED:07.11.2025 AND CONSEQUENTLY DISMISS THE WRIT
PETITION FILED BY THE RESPONDENTS AND ETC.,

IN WA NO. 2046/2025

BETWEEN:

1. SRI. A. L. RAMAKRISHNA,
S/O. LAKSHMINARAYANAPPA,
AGED ABOUT 42 YEARS,
RESIDENT OF ANNENAHALLI,
GUMMAREDDYPURA POST,
KOLAR - 563 117.
2. SRI. S. N. RAMESH,
S/O. NANJUNDESHWARA,
AGED ABOUT 42 YEARS,
RESIDENT OF SUGATUR POST,
KOLAR - 563 117.

...APPELLANTS

(BY SRI. SRINIVASA K., ADVOCATE)



**NC: 2026:KHC:28979-DB
WA No. 2012 of 2025
C/W WA No. 2046 of 2025**

AND:

1. THE MANAGING DIRECTOR,
BESCOM, K.R.CIRCLE,
BANGALORE - 560 001.
2. THE SUPERINTENDING
ENGINEER (C AND CO),
BESCOM, KOLAR DIVISION,
KOLAR - 563 117.
3. THE EXECUTIVE
ENGINEER (C AND CO),
BESCOM, KOLAR DIVISION,
KOLAR - 563 117.

...RESPONDENTS

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE THE ORDER PASSED IN WP No.13219/2021 (L-RES) DATED:07.11.2025 AND CONSEQUENTLY ALLOW THE WRIT PETITION NO.13219/2021 FILED BY THE APPELLANTS AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENTS AND ETC.,

THESE APPEALS ARE 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)

The present intra Court appeals have been filed impugning the judgment and order dated 07.11.2025 passed by the writ Court in WP.No.8282/2020 c/w WP.No.13219/2021.

2. As per the case of the appellants, they were engaged by the Bengaluru Electricity Supply Company Limited (BESCOM), a State Government undertaking as casual employee on the post of Gangman on 01.04.2003 in the office of the Assistant Executive Engineer (Ele.) Bescom, Meter Inspection Division, Kolar, temporarily and their services were continued without interruption till 17.10.2007, and with effect from 18.10.2007 they were disengaged orally.

3. It was the further case of the appellants, initially they were paid Rs.1,500/- per month. However, on the date of cessation of their employment on 18.10.2007, they were being paid consolidated sum of Rs.4,400/- p.m.



It was further stated that they had completed 240 days, uninterrupted service with the respondents establishment in a calendar year. However, without following the mandatory provisions of retrenchment, they were orally refused employment w.e.f., 18.10.2007. The Industrial Dispute was raised in 2014 before the Labour Commissioner and the State Government thereafter, referred the matter to the Principal Labour Court, Bengaluru, to decide the reference regarding oral termination of employment of the appellants. The Labour Court vide award dated 17.01.2019 passed in Reference No.29/2016, directed reinstatement of the appellants on the post of Gangmen without back wages.

4. The said award came to the challenged in WP.No.8282/2020 c/w WP.No.13219/2021 by the BESCO as well as the appellants. The appellants were claiming back wages where as the BESCO had challenged the reinstatement as ordered in the award. The learned Single Judge had held that there was an inordinate delay of



almost 9 years invoking the Industrial Dispute and the contention of the appellants that they were making representation could not have been believed in any view of the matter. The representation would not increase the limitation.

5. The learned Single Judge therefore, held that the Labour Court had failed to act regarding the relevant consideration of inordinate delay of more than 9 years in filing the Industrial Dispute and therefore, the award has been set aside and the writ petition filed by the appellants came to be dismissed whereas filed by the BESCO came to be allowed by the impugned judgment and award passed by the learned Single Judge.

6. The learned counsel for the appellants submits that the writ Court ought not to have interfered with the order passed by the Labour Court as the Labour Court after examining the facts circumstances and evidence of the case found oral termination of the petitioners from services illegal and therefore, the same was set aside. The



Labour Court had directed the respondents establishment to reinstate the petitioners without backwages.

7. On the other hand, learned counsel for the respondents-BESCOM has supported the impugned judgment and award passed by the learned Single Judge and submitted that the Labour Court has failed to consider the inordinate delay and laches in raising the Industrial Dispute. Even as per the case of the appellants workmen, inasmuch as their employment came to be terminated in the year 2007 w.e.f. 18.10.2007. Such an inordinate delay should not have been inquired, and the award passed by the Labour Court is unsustainable in law. Therefore, the writ Court has rightly allowed the writ petition filed by the BESCOM and set aside the award passed by the Labour Court.

8. We have considered the submissions. There is no doubt that the appellants have raised the Industrial Dispute after considerable delay of more than 9 years. The Labour Court has not given any finding on this aspect and



the fact that the Labour Court lost sight over the fact of inordinate delay and laches in raising the Industrial Dispute and has been taken note of the learned Single Judge in the impugned judgment and award.

9. We therefore find no ground to interfere with the judgment and order passed by the learned Single Judge. However, the fact remains that the appellants employment came to be terminated abruptly on 18.10.2007 and interregnum they had worked for more than 4 $\frac{1}{2}$ years with the respondents establishment. It is not the case of the employer that they have complied with the provisions of the Industrial Disputes Act, 1947, so far as the retrenchment of the appellants is concerned, they were not issued any notice, and compensation was not paid to them under Section 25B of the Industrial Disputes Act, 1947.

10. We are therefore, of the view that some lump sum payment need to be paid to the appellants workman by the respondents for violating the provisions of Section



25F and 2(oo) of the Industrial Disputes Act, Therefore, we direct the respondents to pay Rs.2,00,000/- (Rupees Two Lakhs only) each to the appellants within a period of six weeks from today.

11. With the aforesaid direction of payment of Rs.2,00,000/- (Rupees Two Lakhs only) to each one of the appellants within a period of six weeks from today by the respondents and the present writ appeals stand ***disposed of.***

12. In view of disposal of the writ appeals, pending interlocutory applications if any, does not survive for consideration and the same stands disposed of.

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

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

PK
List No.: 1 Sl No.: 13
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