IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF DECEMBER, 2025

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MS. JUSTICE TARA VITASTA GANJU

WRIT APPEAL NO. 1109 OF 2024 (L-KSRTC)

BETWEEN:

1. VEERABASAPPA KUPASAD
   S/O. LATE SANGAPPA,
   AGED ABOUT 51 YEARS,
   R/AT SAKINA SAVADI AT AND POST,
   RONA TALUK,
   GADAG DISTRICT-582 209.

…APPELLANT

(BY SRI. M C BASAVARAJU., ADVOCATE)

AND:

1. THE DIVISIONAL CONTROLLER
   KSRTC,
   BANGALORE CENTRAL DIVISION,
   K.H. ROAD, SHANTHINAGAR,
   BANGALORE-560 027.

…RESPONDENT

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE PASSED IN WP NO.10762/2023 DATED 13/10/2023, ETC.

THIS APPEAL, COMING ON FOR PRELIMINARY HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present writ appeal has been filed impugning the judgment and order dated 13.10.2023 passed by the learned Single Judge in W.P.No.10762/2023 (L-KSRTC) preferred by the petitioner against the award dated 27.02.2023 passed by the Industrial Tribunal in I.D.No.152/2015.

2. For the sake of convenience the parties are referred to as per their ranking in the writ petition.

3. The petitioner, who is employed as Driver-cum-Conductor in Karnataka State Road Transport Corporation faced the Departmental Inquiry for non-issuance of tickets and non collection of requisite fair from two passengers. The Inquiry Officer found the charge proved. The Disciplinary Authority imposed minor penalty of

withholding of one annual increment of the petitioner with cumulative effect. The Industrial Tribunal found the punishment imposed by the Disciplinary Authority, justified and affirmed the punishment by rejecting the claim petition of the workman.

4. Learned counsel for the petitioner submits that in the facts and circumstances of the case, the minor penalty imposed by the Disciplinary Authority was not justified and Tribunal ought to have reduced the penalty in exercise of its power under Section 11A of the Industrial Disputes Act, 1947 (for short ***'the Act'***).

5. Having considered the submission of learned counsel for the parties, the learned Single Judge has rightly held that in exercise of power under Section 11A of the Act, the Industrial Tribunal does not have power to modify the minor punishment imposed on the workman.

6. We have considered the submissions and perused the impugned judgment and the record of the writ petition.

7. We are of the considered view, that the view taken by the learned Single Judge is wholly justified considering the provisions of Section 11A of the Act.

8. We find no merit in the appeal, which is why it is ***dismissed***.

9. In view of dismissal of the appeal, pending applications if any, stand rejected.

Digitally signed by DINESH KUMAR SINGH
Location: HIGH COURT OF KARNATAKA

(D K SINGH)
JUDGE

Digitally signed by TARA VITASTA GANJU
Location: HIGH COURT OF KARNATAKA

(TARA VITASTA GANJU)
JUDGE

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