HC-KAR

NC: 2026:KHC:59412
WP No. 49637 of 2019

CNR: KAHC010422812019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

WRIT PETITION NO. 49637 OF 2019 (L-PG)

BETWEEN:

SRI. KRISHNADEVARAYA EDUCATIONAL TRUST
NO. 16, BALLARI ROAD
SADASHIVANAGAR
BENGALURU-560 080
REP. BY ITS SECRETARY
SRI. K. SHYAMA RAJU.

…PETITIONER

(BY SRI. KRISHNA MURTHY V., ADVOCATE)

AND:

1. SRI. B. S. RAVINDRA
   S/O LATE B. K. SAMPATH KUMAR
   AGED ABOUT 65 YEARS
   RETIRED ASSOCIATE PROFESSOR
   R/AT NO. 16, 2ND FLOOR, 3RD CROSS
   SRIPURAM, SHESHADRIPURAM
   BENGALURU-560 020.

2. THE CONTROLLING AUTHORITY
   UNDER PAYMENT OF GRATUITY ACT
   CUM LABOUR AND CONCILIATION OFFICER
   DIVISION-V, KARMIKA BHAVANA
   BANNERUGHATTA ROAD
   BENGALURU-560 029.

3. THE APPELLATE AUTHORITY
   UNDER GRATUITY ACT

Digitally Signed by NARENDRA PRASAD
HAREKOPPA THIMMANNA GOWDA

DIVISION-II CUM ASSISTANT
LABOUR COMMISSIONER
DIVISION-II, AT BENGALURU
KARMIKA BHAVANA
BANNERUGHATTA ROAD
BENGALURU-560 029.

…RESPONDENTS

(BY SRI.M RAJAKUMAR, AGA FOR R2 & R3:
R1 IS SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ENTIRE ORDER PASSED BY THE R-2 IN CASE DATED 28.07.2017 ANNEXURE-A UNDER THE PAYMENT OF GRATUITY ACT, 1972, DIRECTING THE PETITIONER TRUST TO PAY RS.5,99,771/- WITH EFFECT FROM 25.04.1996 TO 30.05.2015 WITH INTEREST AT THE RATE OF 10 PER CENT PER ANNUM WITH IN 30 DAYS, BEING THE GRATUITY PAYABLE TO THE R-1 AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE H.T. NARENDRA PRASAD

ORAL ORDER

1. In this writ petition, the petitioner has called in question the order dated 28.07.2017 passed by respondent No.2 under the Payment of Gratuity Act, 1972 (hereinafter referred to as 'Act, 1972' for short), vide Annexure-A, whereby the petitioner was directed to pay a sum of Rs.5,99,771/- with interest at the rate of 10% per

Digitally Signed by NARENDRA PRASAD
HAREKOPPA THIMMANNA GOWDA

annum. The said order has been confirmed by the Appellate Authority by order dated 21.08.2019 vide Annexure-B.

2. The petitioner is an educational institution. The primary contention of the petitioner is that it is not an establishment under the Act, 1972.

3. The said issue has already been considered by this Court in W.P.No.42168/2016 and connected matter, disposed of on 04.01.2024, wherein, having regard to the amendment to Section 2(e) of the Act, 1972, this Court has held that teaching staff of an educational institution is covered under the definition of employee.

4. In view of the above, this petition is devoid of merit. Accordingly, the writ petition is ***dismissed***.

Digitally Signed by NARENDRA PRASAD
HAREKOPPA THIMMANNA GOWDA

(H.T. NARENDRA PRASAD)
JUDGE

HA
LIST NO.: 1 SL NO.: 20