HC-KAR
NC: 2026:KHC:63514
WP No. 24537 of 2024
CNR: KAHC010509692024

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 17TH DAY OF NOVEMBER, 2026

BEFORE

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

WRIT PETITION NO. 24537 OF 2024 (L-RES)

BETWEEN:

SRI KOTRESH M
S/O LATE MALLIKARJUN N,
SINCE DEAD REP. BY HIS LRS
SMT. RATHNAMMA
W/O MALLIKARJUNA
AGED ABOUT 65 YEARS
R/AT NEAR WATER TANK
VEDAVATI NAGAR, HIRIYUR
CHITRADURGA DISTRICT
KARNATAKA-577598.

...PETITIONER

(BY SRI. MAITREYI KRISHNAN., ADVOCATE)

AND:

MANAGEMENT OF M/S AUMA INDIA PVT LTD
PLOT NO. 39-B, II PHASE
PEENYA INDUSTRIAL AREA
BENGALURU-560 058.
REP. BY THE MANAGING DIRECTOR
INCORPORATED UNDER THE COMPANIES ACT

...RESPONDENT

(BY SRI. Z N HANSI., ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO SET ASIDE THE IMPUGNED AWARD DATED: 18.01.2018 AND

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HAREKOPPA THIMMANNA GOWDA

16.01.2024 IN I.D NO. 37/2014 PASSED BY THE 1ST ADDL. LABOUR COURT, BANGALORE PLACED AT ANNEXURE-A AND ANNEXURE-D RESPECTIVELY, TO THE EXTENT OF THE PETITIONER BEING AGGRIEVED 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. This writ petition is filed challenging the Award dated 16.01.2024 passed by the First Additional Labour Court, Bengaluru, in I.D.No.37/2014 (hereinafter referred to as 'Labour Court'), whereby the dispute raised by the petitioner-First Party-workman came to be rejected.

2. For the sake of convenience, the parties are referred to as per their ranking before the Labour Court.

3. The brief facts of the case are that the First Party-workman joined the services of the Second Party-Management in the year 2006 as an apprentice and, upon completion of his apprenticeship, his services were

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regularised in the year 2007. Subsequently, on the allegation of unauthorised absence from duty, a show-cause notice was issued to him and a domestic enquiry was conducted. Based on the enquiry report, the First Party-workman was dismissed from service. Aggrieved by the order of dismissal, he raised an industrial dispute before the Labour Court in I.D.No.37/2014. During the pendency of the proceedings, the First Party-workman suffered a paralytic stroke, pursuant to which the Labour Court permitted his mother to represent him in the proceedings. After hearing the parties, the Labour Court, by the impugned Award dated 16.01.2024, rejected the claim of the First Party-workman. However, on humanitarian grounds, it awarded compensation of Rs.2,00,000/-. Being aggrieved by the said Award, the First Party-workman approached this Court.

4. During the pendency of this writ petition, the First Party-workman passed away. His mother, aged about 65 years, is prosecuting the present petition.

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5. Having regard to the facts and circumstances of the case, particularly the medical condition of the First Party-workman and the subsequent demise of the workman during the pendency of this petition, this Court is of the view that the compensation awarded by the Labour Court deserves to be enhanced from Rs.2,00,000/- to Rs.3,00,000/- on humanitarian grounds.

6. The Head of HR of the Second Party-Management, who is present before the Court, has also agreed to the enhancement of compensation as proposed above.

7. Accordingly, the following:

ORDER

a) The writ petition is disposed of.

b) The Award dated 16.01.2024 passed by the First Additional Labour Court, Bengaluru, in I.D.No.37/2014, is modified.

c) The compensation awarded in favour of the First Party-workman is enhanced from

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Rs.2,00,000/- to Rs.3,00,000/- on humanitarian grounds.

d) The Second Party-Management is directed to pay the enhanced compensation of Rs.3,00,000/- to the petitioner, being the mother of the deceased First Party-workman, within four weeks from today.

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(H.T. NARENDRA PRASAD)
JUDGE

DM
LIST NO.: 1 SL NO.: 42