HC-KAR

NC: 2026:KHC:59525
WP No. 22702 of 2023

CNR: KAHC010525322023

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. 22702 OF 2023 (L-MW)

BETWEEN:

1. SMT T ROHINI
   AGED ABOUT 61 YEARS
   W/O SRI.V.M. CHANDRGOWDA.

2. SRI.V.M. CHANDRE GOWDA
   AGED ABOUT 69 YEARS
   S/O SRI.MUDALAGIRI GOWDA
   BOTH ARE R/AT NO. 415, 5TH CROSS
   3RD STAGE, J.P NAGAR
   (NEAR SHIVABALA YOGI ASHRAM
   OR VIJAYA BANK)
   BENGALURU SOUTH
   BENGALURU-560078.

…PETITIONERS

(BY SRI. K S GANESHA., ADVOCATE)

AND:

1. THE ASSISTANT LABOUR COMMISSIONER
   AND AUTHORITY
   UNDER MINIMUM WAGES ACT
   CHIKKAMAGALURU DIVISION
   CHIKKAMAGALURU-577101.

2. SRI. RAMACHANDRA
   AGED ABOUT 53 YEARS
   S/O SRI.NAGAPPACHAR

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HAREKOPPA THIMMANNA GOWDA

R/ AT MUTTIGERE, HALASE POST,
MUDIGERE TALUK
CHIKKAMAGALURU DISTRICT-577132.

…RESPONDENTS

(BY SMT. PRATHIBHA R K, AGA FOR R1:
SRI. B.S. SACHIN, ADVOCATE FOR R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED AWARD DATED 26/07/2023 PASSED BY THE R1 IN NO.ಸಕಾಆಚಿ/ಕವೇಕಾ/ಸಿಆರ್–1/2020-21 WHICH IS AT ANNEXURE-C TO THE WRIT PETITION 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

This writ petition is filed under Articles 226 and 227 of the Constitution of India, challenging the order dated 26.07.2023 passed by the first respondent vide Annexure-C, whereby the petitioner was directed to pay a sum of Rs.3,00,176.80 towards minimum wages to the second respondent herein.

2.The brief facts of the case are that the second respondent claims to have been working as a workman in

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the petitioner's Coffee Plantation situated in Mudigere Taluk, Chikkamagaluru District.

3. The second respondent herein had initially raised an industrial dispute under Section 10(4-A) of the Industrial Disputes Act, 1947 (for short, 'I.D. Act') in I.D.A.No.1/2020 before the Presiding Officer, Labour Court, Chikkamagaluru, contending that the petitioners had refused to continue his services with effect from 02.05.2020. The Labour Court, by order dated 01.02.2022, produced as Annexure-A, dismissed the application filed by the second respondent, holding that he had failed to establish the existence of an employer-employee relationship between himself and the petitioner. The said order has attained finality.

4. Thereafter, the second respondent filed a claim petition under Section 20 of the Minimum Wages Act, 1948, seeking payment of minimum wages from the petitioners. By the impugned order, the first respondent

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allowed the application and directed the petitioners to pay a sum of Rs.3,00,176.80 to the second respondent. Being aggrieved by the same, the petitioners are before this Court.

5.The aforesaid aspect was not brought to the notice of the first respondent while passing the impugned order dated 26.07.2023 vide Annexure-C. Since the Labour Court, by order dated 01.02.2022, has already recorded a finding that the second respondent has failed to establish the existence of an employer-employee relationship between himself and the petitioner, and the said order has attained finality, the second respondent is not entitled to claim minimum wages from the petitioner. Without taking into consideration the aforesaid finding recorded by the Labour Court, the first respondent has passed the impugned order directing the petitioner to pay minimum wages to the second respondent. Therefore, the impugned order cannot be sustained in law and is liable to be set

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aside. On this ground alone, the writ petition deserves to be allowed.

6. Accordingly, the following:

ORDER

(i) The writ petition is allowed.

(ii) The impugned order dated 26.07.2023 passed by the first respondent vide Annexure-C is hereby set aside.

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(H.T. NARENDRA PRASAD)
JUDGE

CM
List No.: 1 Sl No.: 34