CNR: KAHC010554802019

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

BEFORE

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

WRIT PETITION NO. 8234 OF 2020 (L-MW)

BETWEEN:

SRI H N CHANDRASHEKAR
S/O H NARASAPPA
AGED ABOUT 69 YEARS
R/AT NO. 301, PRESTINE RESIDENCE
1ST CROSS, N S PALYA
BTM 2ND STAGE, BENGALURU - 560 076

...PETITIONER

(BY SRI. JAGADEESH D C., ADVOCATE)

AND:

1. THE LABOUR COMMISSIONER
   GOVERNMENT OF KARNATAKA
   DEPARTMENT OF LABOUR
   KARMIKA BHAVANA
   BANNERGHATTA ROAD
   BENGALURU - 560 029.

2. THE DEPUTY LABOUR COMMISSIONER
   HASSAN REGION, HASSAN AND
   CLAIM AUTHORITY APPOINTED
   UNDER MINIMUM WAGES ACT 1948
   HASSAN - 573 201.

3. THE ASSISTANT LABOUR COMMISSIONER
   DEPARTMENT OF LABOUR
   CHIKKAMAGALURU - 577 101

4. THE MANAGEMENT OF RAMGIRI
   AND KRISHNAGIRI ESTATE

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HAREKOPPA THIMMANNA GOWDA

THOGANI HANKLE POST
CHIKKAMAGALUR DISTRICT - 577 101

…RESPONDENTS

(BY SMT. PRATHIBHA R K., AGA, FOR R1 TO R3:
SRI. B.S. RAGHU PRASAD, ADVOCATE FOR R4)

THIS WRIT PETITION ID FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA AND PRAYING TO QUASH THE IMPUGNED ORDER DATED: 24.04.2019 VIDE ANNEXURE-H PASSED BY THE R-2 IN SO FAR AS IT RELATES TO NOT ALLOWING THE CLAIM PETITION OF PETITIONER FOR A SUM OF RS.5,88,410/- TOWARDS OVERTIME/PICKING INCENTIVE AS CLAIMED BY HIM IN HIS CLAIM PETITION VIDE ANNEXURE-C AND PASS ORDERS UNDER THE MINIMUM WAGES ACT AS PER THE CLAIM APPLICATION VIDE ANNEXURE-C DATED 15.10.2013 SUBMITTED TO R-2 IN ACCORDANCE WITH LAW 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 order dated 24.04.2019 passed by respondent No.2, whereby the application filed by the petitioner has been partly allowed.

2. The brief facts of the case are that the petitioner was working in the Coffee Estate of respondent No.4. During the period from 2001 to 2007, the petitioner claims to

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have worked overtime, but respondent No.4–Management failed to pay the overtime wages and picking incentive allegedly due to him. Therefore, the petitioner filed an application before respondent No.2 under Section 20(2) of the Minimum Wages Act, 1948. Respondent No.2, by the impugned order dated 24.04.2019, partly allowed the application, holding that the petitioner was entitled to arrears of picking incentive and compensation aggregating to Rs.27,021/., and directed respondent No.4 to deposit the said amount. Aggrieved by the said order, the petitioner has approached this Court.

3. The specific contention of the petitioner is that the application dated 15.10.2013, produced at Annexure-C, was filed seeking payment of overtime wages and picking incentive for the period from 2001 to 2007. However, respondent No.2 rejected the claim for overtime wages on the ground of delay and awarded only a sum of Rs.27,021/- towards picking incentive and compensation.

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The petitioner contends that the claim has not been properly considered and that the impugned order does not disclose adequate reasons for rejecting the claim for overtime wages.

4. On perusal of the impugned order, it is evident that respondent No.2 has rejected the petitioner's claim for overtime wages on the ground of delay without recording adequate reasons for such rejection. Further, though the application was filed claiming overtime wages and picking incentive for the period from 2001 to 2007, the order does not reflect proper consideration of the entire claim or the basis for restricting the relief granted. The impugned order is not a speaking order. The same is passed without application of mind. On this ground alone, the writ petition is liable to be allowed remitting the matter to respondent No.2 for fresh consideration. Accordingly, the following order:

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ORDER

a) Writ petition is allowed.

b) The matter is remitted back to respondent No.2 for fresh consideration in accordance with law after giving opportunity to both parties.

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(H.T. NARENDRA PRASAD)
JUDGE

DM
LIST NO.: 1 SL NO.: 17