HC-KAR
NC: 2026:KHC:62148-DB
CCC No. 1493 of 2026
CNR: KAHC010751372026

IN THE HIGH COURT OF KARNATAKAAT BENGALURU

DATED THIS THE 11TH DAY OF NOVEMBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MRS. JUSTICE N.V.BHAVANI

CIVIL CONTEMPT PETITION NO. 1493 OF 2026

BETWEEN:

SRI. RAJAPPA
S/O. PARVATHAPPA,
AGED ABOUT 48 YEARS,
RESIDING AT
ANJANEYA COTTON MILLS
BADAVANE, THOLAHUNASE POST,
DAVANAGERE TALUK,
DAVANAGERE DISTRICT -577514

...COMPLAINANT

(BY SRI. RAJASHEKHAR K., ADVOCATE)

Digitally signed by YASHODA K L
Location: HIGH COURT OF KARNATAKA

AND:

SWARUP ANGADI
THE MANAGING DIRECTOR,
SRI. ANJANEYA COTTON MILL PVT. LTD.,
ATHANI COMPLEX,
R.M.C LINK ROAD,
DAVANAGERE – 577010

...ACCUSED

THIS CCC IS FILED UNDER SECTION 11 AND 12 OF THE CONTEMPT OF COURTS ACT, 1971 R/W ARTICLE 215 OF THE CONSTITUTION OF INDIA, BY THE COMPLAINANT WHEREIN

PRAYS THAT THE HONBLE COURT BE PLEASED TO PUNISH THE ACCUSED FOR HAVING COMMITTED CONTEMPT OF COURT OF THE ORDER DATED 17.02.2026 PASSED BY THE LEARNED SINGLE JUDGE OF THIS HONBLE COURT IN WP NO.57585/2013 (LAB-TER).

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

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
AND
HON'BLE MRS. JUSTICE N.V.BHAVANI

ORAL ORDER

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

Heard the learned counsel for the complainant.

2. This petition is filed alleging disobedience of the order dated 17.02.2026 passed by the learned Single Judge of this Court in Writ Petition No.57584/2013. In the writ petition, a prayer was made seeking quashing the award dated 27.08.2013 in KID No.117/2011 which was passed by the Labour Court at Hubli in which, a direction to the accused-management to reinstate the respondent into service with full back wages.

3. The writ petition that was filed by the management *inter alia* raised a plea that the complainant's industry was closed. This Court had observed in the order, contempt of which is alleged, that in case the establishment is closed in accordance with law, then the back wages is to be paid till the date of closure or superannuation whichever is earlier. The Court also observed that in addition to that, closure compensation if any, had to be paid to the respondent therein as required under law. Any dues in terms of the order was required to be paid within 45 days from the date of receipt of the copy of the order, failing which the amount due would carry interest at the rate of 6% per annum from the date of the order till payment.

4. The procedure for recovery of money due from an employer is provided under Section 33C(2) of the Industrial Disputes Act, 1947, which is an elaborate procedure provided, whereby the adjudicated dues of the workman can be recovered.

5. In the circumstances, we decline to issue notice in the petition and consign the same reserving liberty to the

complainant/workman to seek his alternate remedy in accordance with law before the appropriate forum.

SD/-
(JAYANT BANERJI)
JUDGE

SD/-
(N.V.BHAVANI)
JUDGE

GJM
List No.: 1 Sl No.: 7