



Circular No – 073/2024

Date: 13-12-2024

To
All Members of The Association

**WRIT APPEALS ON MINIMUM WAGES ALLOWED IN PART
BY DIVISION BENCH AND REMITED THE MATTER BACK TO THE
LEARNED SINGLE JUDGE TO HEAR THE MANAGEMENT AND PASS
APPROPRIATE ORDERS**

- 1) Government of Karnataka issued final notification during the period 2022-23 separately in respect of each of the 34 scheduled employments revising the rates of Minimum Wages.
- 2) Two Trade Unions namely, AITUC and EGWU challenged the final Notifications in the 34 scheduled employments by filing Writ Petitions before the Hon'ble High Court of Karnataka. However, the managements of the 34 scheduled employments were not made parties in the Writ Petitions.
- 3) The Learned Singel Judge struck down the 34 minimum wage notifications on the ground that the notifications were issued without undertaking the exercise as prescribed in the Reptakos Brett Judgment.
- 4) The managements along with KEA challenged the above decision of the Learned Single Judge by filing 32 separate Writ Appeals before the Division Bench of the Hon'ble High Court of Karnataka.



- 5) After hearing on various dates, the Hon'ble High Court reserved the matter for judgment on 25.09.2024. The Division Bench has pronounced the Judgment today, 13.12.2024.
- 6) The Writ Appeals were allowed in part. Further, the Hon'ble High Court remitted the matter back for providing an opportunity to the managements to be heard before the Learned Single Judge and pass appropriate orders within a reasonable period of time.
- 7) It may be recalled that the main grievance of the managements in the Writ Appeals was that the Learned Single Judge passed orders in 34 Writ Petitions without hearing the managements while quashing the 34 minimum wage notifications. With today's order the Hon'ble High Court has restored the 34 Writ Petitions and directed the Learned Single Judge to hear the managements and pass appropriate orders.
- 8) KEA has once again succeeded in protecting the interests of the employers by effectively canvassing the adverse impact of the Judgment of the Learned Single Judge which was passed without hearing the management. Now the managements will get complete opportunity to submit their views before the Learned Singel Judge.

For KARNATAKA EMPLOYERS' ASSOCIATION

**Sd/
[B C Prabhakar]
President**