



Circular No – 077/2024

Date: 23.12.2024

To
All Members of The Association

**DIVISION BENCH DIRECTS THAT EMPLOYERS MUST BE HEARD IN
THE WRIT PETITION CHALLENGING THE MINIMUM WAGE
NOTIFICATION**

- 1) In our Circular No – 073/2024 dated 13.12.2024, we had informed the members that the Writ Appeals filed by KEA and others were allowed in part by the Division Bench of the Hon'ble High Court in its Judgment dated 13.12.2024 which remitted the matter back for providing an opportunity to the managements to be heard before the Learned Single Judge and pass appropriate orders within 10 weeks.
- 2) 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 this Judgment the Hon'ble High Court has restored the Writ Petition and directed the Learned Single Judge to hear the managements and pass appropriate orders.
- 3) Some of the highlights of the Judgment dated 13.12.2024 are:



- a. The procedure for fixing and revising the minimum wages makes it clear that the employers are the stakeholders, interested party and affected group.
- b. The Advisory Board consists of persons representing employers also and not only employees besides the Government. This is for the obvious reason that the employers are stake holders and their obligations would arise as an end result of the exercise of fixing and revising the minimum wages. When it is a question of revising the minimum wages, it is legitimate to conclude, that the employers should have their say.
- c. Not giving hearing to the employers and the stakeholders who would suffer the impact of the Notification, will render the exercise and the ultimate result to be unjust and arbitrary.
- d. The employers could not be excluded by any stretch of logic to treat them outsiders. The employers have definite interest in the exercise and giving hearing to them would be just, fair and reasonable. The appellants were the necessary parties in the writ petition before the learned Single Judge.
- e. These principles are to be applied where the decision is to ultimately affect rights, interest and obligations of any party, and when the decision may lead to any kind of civil consequences.





- f. Non-compliance of this obligation would render the exercise, the process and the resultant decision to be unreasonable and arbitrary.
 - g. The appellant-employers were admittedly before the Advisory Board. But, when the Notification was challenged in the writ petition, the employees Unions-the petitioners did not make the employers party even though they are the interested category of persons to be affected. Therefore, employers ought to have been arraigned as party in the writ petition challenging the Notification. Employers are required to be treated as proper parties and that they ought to have been heard.
 - h. The employers shall be given opportunity of hearing before final decision is rendered in the Writ Petition.
 - i. The exercise shall be completed by the learned Single Judge expeditiously and preferably within ten weeks
- 4) In view of the restoration of Writ Petitions, the managements will have to utilize the opportunity to submit their views in a unified manner before the Learned Single Judge.
 - 5) A Copy of the Judgment is attached.

For KARNATAKA EMPLOYERS' ASSOCIATION

Sd/

[B C Prabhakar]

President



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Bengaluru, Karnataka



kea@kea.co.in

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF DECEMBER, 2024



PRESENT

THE HON'BLE MR. N.V. ANJARIA, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE K.V. ARAVIND

WRIT APPEAL No.23 OF 2024 (L - MW)

C/W WRIT APPEAL Nos. 53/2024, 54/2024, 78/2024, 82/2024,
87/2024, 88/2024, 90/2024, 92/2024, 93/2024, 107/2024, 113/2024,
139/2024, 141/2024, 142/2024, 148/2024, 156/2024, 159/2024,
160/2024, 161/2024, 162/2024, 165/2024, 166/2024, 170/2024,
177/2024, 216/2024, 316/2024, 413/2024, 438/2024, 502/2024,
511/2024, 533/2024, 542/2024, 543/2024, 545/2024, 553/2024,
565/2024, 567/2024, 570/2024, 572/2024, 573/2024, 574/2024,
575/2024, 576/2024, 577/2024, 578/2024, 579/2024, 580/2024,
581/2024, 583/2024, 644/2024 AND 905/2024 (L - MW)

IN W.A. NO. 23 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO.74, 2ND FLOOR,
SHANKARA ARCADE,
VANI VILAS ROAD, BENGALURU – 560 004,
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT, 1926,
REPRESENTED THROUGH ITS SECRETARY GENERAL
SRI SEETHARAM BHAT
- 2 . MACHENAHALLI INDUSTRIES ASSOCIATION
HAVING ITS OFFICE AT:
KIADB MAIN ROAD,
SHIVAMOGGA-BHADRAVATHI INDUSTRIAL AREA
MACHENAHALLI, NIDIGE,

SHIVAMOGGA – 577 222,
AN ASSOCIATION INCORPORATED UNDER THE
KARNATAKA SOCIETIES REGISTRATION ACT, 1960,
AND ENGAGED IN PROMOTING FOUNDRY,
MACHINE SHOP AND ALLIED INDUSTRIES,
REPRESENTED THROUGH ITS
HONORARY PRESIDENT
SRI RAMESH HEGDE M.A.

- 3 . SHANTHALA SPHEROCAST PVT. LTD.,
NO.36B, SHIMOGA BHADRAVATHI INDUSTRIAL AREA,
MACHENAHALLI, NIDIGE POST – 577 222,
SHIMOGA KARNATAKA,
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT 1956,
ENGAGED IN FOUNDRY,
MACHINE SHOP AND ALLIED INDUSTRIES,
REPRESENTED BY ITS
MANAGING DIRECTOR,
SRI D.B. ASHOK

...APPELLANTS

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R)
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020.
REP BY ITS GENERAL SECRETARY
- 2 . ENGINEERING & GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT, GHATE BHAVAN,
VYALIKAVALLI, G.D. PARK EXTENSION,
BENGALURU – 560 003.
REPRESENTED BY ITS
GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA,
5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,

BENGALURU – 560 001,
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY

... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & R-2,
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 26/09/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.3632/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS.1 AND 2.

IN W.A. NO. 53 OF 2024

BETWEEN:

- 1 . FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE AND INUSTRY (FKCCI)
FEDERATION HOUSE, K.G. ROAD,
BANGALORE – 560 009
REPRESENTED BY ITS SECRETARY GENERAL
SRI M LOKRAJ,
S/O MANICKAM MUNISW.A.MY,
AGED ABOUT 75 YEARS.

- 2 . ELECTRONIC RELAYS INDIA PVT. LTD.
NO 93/A, INDUSTRIAL SUBURB,
II STAGE, YESHW.A.NTHPURA,
BANGALORE – 560 022
REPRESENTED BY ITS GENERAL MANAGER -
OPERATIONS,
SRI T.N. SHIVAPRASAD,
S/O LATE T.S.N MURTHY RAO,
AGED ABOUT 72 YEARS.

...APPELLANTS

(BY SRI SUBBA RAO G.S., ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION
CONGRESS (R), KARNATAKA

STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

2 . ENGINEERING AND GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP BY ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & R-2,
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT, 1961 PRAYING TO SET-ASIDE THE ORDER OF THE
LEARNED SINGLE JUDGE DATED 26/09/2023 IN W.P. NO.13304/2023
BY ALLOWING THE WRIT APPEAL.

IN W.A. NO. 54 OF 2024

BETWEEN:

1 . FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE AND
INDUSTRY(FKCCI), FEDERATION HOUSE,
K.G. ROAD, BANGALORE – 560 009
REPRESENTED BY ITS
SECRETARY GENERAL
SRI M LOKRAJ,
S/O MANICKAM MUNISWAMY,
AGED ABOUT 75 YEARS

- 2 . BRIDGEWELL MOTORS LLP
NO 615, DR. RAJKUMAR ROAD,
PRAKASHNAGAR,
BANGALORE – 560 021
REPRESENTED BY ITS PROPRIETOR,
SRI SHARATH REDDY,
S/O LATE C.M. REDDY
AGED ABOUT 60 YEARS

...APPELLANTS

(BY SRI SUBBA RAO G.S., ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION
CONGRESS (R), KARNATAKA
STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP BY ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & R-2,
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT, 1961 PRAYING TO SET-ASIDE THE ORDER OF THE

LEARNED SINGLE JUDGE DATED 26.09.2023 IN W.P. No. 3622 OF 2023 BY ALLOWING THE WRIT APPEAL.

IN W.A. NO. 78 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS ASSOCIATION
HAVING ITS OFFICE AT NO:
No.74, 2ND FLOOR SHANKARA ARCADE
VANI VILAS ROAD
BEGALURU – 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT 1926
REPRESENTED THROUGH ITS
SECRETARY GENERAL
SRI SEETHARAM BHAT

- 2 . KARNATAKA SECURITY SERVICES ASSOCIATION (R)
NO 22/A, MAHATMA GANDHI ROAD
AJANTHA HOTEL
BENGALURU – 560 001
AN ASSOCIATION INCORPORATED UNDER
THE KARNATAKA SOCIETIES
REGISTRATION ACT 1960 AND ITS
MEMBERS ARE ENGAGED IN
PROVIDING SECURITY SERVICES
REPRESENTED THROUGH ITS
SECRETARY GENERAL
SRI B.R. SHEETHAL KUMAR.

- 3 . RAKSHA MANAGEMENT AND
PROTECTION SERVICES PVT. LTD.,
No.19, 1ST MAIN, SBI OFFICER'S COLONY,
BASAVESHWARA NAGAR
BENGALURU – 560 079
A PRIVATE LIMITED COMPANY INCORPORATED
UNDER THE COMAPNIES ACT, 1956
REPRESENTED BY
BRAHAMANDAND TIMMANAN NAYAK DIRECTOR
...APPELLANTS

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION
CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

- 2 . ENGINEERING & GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAl,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP BY ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2,
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 26.09.2023 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. No.3654/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND 2.

IN W.A. NO. 82 OF 2024

BETWEEN:

- 1 . FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI)
FEDERATION HOUSE, K.G. ROAD
BANGALORE – 560 009

REPRESENTED BY ITS
SECRETARY GENERAL
SRI M. LOKRAJ
S/O MANICKAM MUNISWAMY
AGED ABOUT 75 YEARS.

- 2 . EAGLESAFE SECURITY SERVICES
NO 340, 12TH MAIN, 3RD FLOOR
6TH BLOCK, RAJAJINAGAR
BANGLAORE – 560 004
REPRESENTED BY ITS PROPRIETOR
SRI SHANTHARAJU
S/O THAMMAIAH
AGED ABOUT 42 YEARS

...APPELLANTS

(BY SRI SUBBA RAO G.S., ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION
CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING & GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVALLI,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2,
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE DATED 26/09/2023 IN W.P. NO.3654/2023 BY ALLOWING THE WRIT APPEAL.

IN W.A. NO. 87 OF 2024

BETWEEN:

1. KARNATAKA EMPLOYERS ASSOCIATION
HAVING ITS OFFICE AT
NO 74, 2ND FLOOR, SHANKARA ARCADE,
VANI VILAS ROAD, BENGALURU – 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNION ACT, 1926
REPRESENTED THROUGH ITS
SECRETARY GENERAL
SRI SEETHARAM BHAT

2. KARNTAKA OFFSET PRINTERS ASSOCIATION
90/51, 2ND FLOOR, KOPA-TOPTec
BUILDING, 2ND MAIN, RAJAJINAGAR,
INDUSTRIAL TOWN,
BENGALURU – 560 044
REPRESENTED BY
V. KRISHNAMOORTHY,
PRESIDENT

3. OMKAR OFFSET PRINTERS
No.3/4, 1ST MAIN ROAD,
NEW THARAGUPET,
BENGALURU – 560 002
REPRESENTED BY
P.S. VENKATESH BABU,
PARTNER

...APPELLANTS

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

1. ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,

BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

2 . ENGINEERING & GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & R-2,
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 26.09.2023 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. No. 13125/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND 2.

IN W.A. NO. 88 OF 2024

BETWEEN:

1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
No.74, 2ND FLOOR, SHANKARA ARCADE
VANI VILAS ROAD
BEGLAURU – 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT,1926
REPRESENTED THROUGH ITS
SECRETARY GENERAL
SRI SEETHARAM BHAT

- 2 . BRS PRECISION MANUFACTURING
PRIVATE LIMITED
UNIT 1, HAROHALLI, 1ST A, 1ST PHASE
INDUSTRIAL AREA, KANAKAPURA TALUK
RAMANAGARA DISTRICT – 562 112
A COMPANY INCORPORATED ACT, 1956

REPRESENTED BY ITS
MANAGING DIRECTOR
SANDIP PATIL

...APPELLANTS

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION
CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING & GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVALLI,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2,
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 26.09.2023 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. No. 3622/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND 2.

IN W.A. NO. 90 OF 2024

BETWEEN:

- 1 . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI)
FEDERATION HOUSE,
K.G. ROAD, BANGALORE – 560 009.
REPRESENTED BY ITS SECRETARY GENERAL,
SRI M. LOKRAJ
S/O MANICKAM MUNISWAMY
AGED ABOUT 75 YEARS

- 2 . JOHN DISTILLERIES PVT. LTD.
NO.110, PANTHARAPALYA
MYSORE ROAD
BANGALORE – 560 039
REPRESENTED BY ITS DIRECTOR
SRI N. KRISHNAN NAMBOODIRI
S/O NEELAKANTAN
NAMBOODIRI
AGED ABOUT 71 YEARS.

...APPELLANTS

(BY SRI SUBBA RAO G.S., ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION
CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

- 2 . ENGINEERING & GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,

G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2,
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT, 1961 PRAYING TO SET-ASIDE THE ORDER OF THE
LEARNED SINGLE JUDGE DATED 26/09/2023 IN W.P. NO.13143/2023
BY ALLOWING THE WRIT APPEAL.

IN W.A. NO. 92 OF 2024

BETWEEN:

- 1 . FEDERATION OF KARNATAKA CHAMBERS
OF COMMERCE AND INDUSTRY (FKCCI),
FEDERATION HOUSE, K G ROAD,
BANGALORE – 560 009
REPRESENTED BY ITS
SECRETARY GENERAL
SRI M LOKRAJ,
S/O MANICKAM MUNISWAMY,
AGED ABOUT 75 YEARS
- 2 . SUNIL AGRO FOODS LTD
NO 32-A2, HOSKOTE,
INDUSTRIAL AREA,
CHAKKAHALLY, HOSKOTE,
BANGALORE – 562 114
REPRESENTED BY ITS MANAGING DIRECTOR,
SRI B. SHANTHILAL,
S/O BHANSILAL,
AGED ABOUT 82 YEARS

...APPELLANTS

(BY SRI SUBBA RAO G.S., ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

- 2 . ENGINEERING & GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAl,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2,
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 26.09.2023 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. No. 13150 OF 2023 BY ALLOWING THE WRIT APPEAL.

IN W.A. NO. 93 OF 2024

BETWEEN:

- 1 . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE
AND INDUSTRY (FKCCI)
FEDERATION HOUSE, K.G. ROAD,
BANGALORE – 560 009
REPRESENTED BY ITS
SECRETARY GENERAL
SRI M LOKRAJ
S/O MACHICKAM MUNISWAMY
AGED ABOUT 75 YEARS

- 2 . KARNATAKA STATE PRINTERS ASSOCIATION (R)
REGD. OFFICE AT No.44,
AVENUE ROAD,
BANGALORE - 560002.
REPRESENTED BY ITS PRESIDENT,
SRI B.R. ASHOK KUMAR,
S/O RATHNAM SHETTY,
AGED ABOUT 65 YEARS

- 3 . SRI VENKATESHWARA PRINTING PRESS
No.57, 9TH CROSS, I.G. CIRCLE,
1ST PHASE,
J.P. NAGAR, BANGALORE – 560 078
REPRESENTED BY ITS PROPRIETOR,
C.R. JANARDHANA,
S/O C.K. RAMAIAH SHETTY,
AGED ABOUT 73 YEARS

...APPELLANTS

(BY SRI SUBBA RAO G.S., ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION
CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

- 2 . ENGINEERING & GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAl,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & R-2,
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER OF THE
LEARNED SINGLE JUDGE DATED 26.09.2023 IN W.P. No.13125/2023
BY ALLOWING THE WRIT APPEAL.

IN W.A. NO. 107 OF 2024

BETWEEN:

- 1 . FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI)
FEDERATION HOUSE K G ROAD,
BANGALORE-560009
REPRESENTED BY ITS SECRETARY GENERAL,
SRI M LOKRAJ,
S/O MANICKAM MUNISWAMY
AGED ABOUT 75 YEARS

- 2 . SRI SHANTI VIJAY SAW MILL
NEAR SHIHEENEERU KOLA
POST MANDYA TALUK
MANDYA, KARNATAKA
PIN CODE – 571 401
REPRESENTED BY IS PROPRIETOR
SRI GOVIND B PATEL
S/O LATE BHIMJI R. PATEL
AGED ABOUT 75 YEARS

...APPELLANTS

(BY SRI SUBBA RAO G.S., ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION
CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

- 2 . ENGINEERING & GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & R-2,
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE DATED 10/10/2023 IN WP NO.22540/2023 BY ALLOWING THE WRIT APPEAL.

IN W.A. NO. 113 OF 2024

BETWEEN:

- 1 . FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE
AND INDUSTRY (FKCCI) FEDERATION HOUSE,
KG ROAD, BANGALORE – 560 009
REPRESENTED BY ITS
SECRETARY GENERAL,
SRI M LOKRAJ,
S/O MANICKAM MUNISWAMY,
AGED ABOUT 75 YEARS.

- 2 . UDUPI SRI KRISHNA BHAVAN
NO.123-124,
JANARDHAN BUILDING,
BALEPETE, BENGALURU,
KARNATAKA – 560 053
REPRESENTED BY ITS PARTNER,
SRI H.S. SUBRAMANYA,

S/O LATE H.J. SRINIVASA,
AGED ABOUT 55 YEARS.

...APPELLANTS

(BY SRI SUBBA RAO G.S., ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION
CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

- 2 . ENGINEERING AND GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT, 1961 PRAYING TO SET-ASIDE THE ORDER OF THE
LEARNED SINGLE JUDGE DATED 10.10.2023 IN WP No.22481/2023
BY ALLOWING THE WRIT APPEAL.

IN W.A. NO. 139 OF 2024

BETWEEN:

- 1 . FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI),

FEDERATION HOUSE,
K.G. ROAD, BANGALORE – 560 009
REPRESENTED BY ITS
SECRETARY GENERAL
SRI M LOKRAJ
S/O MANCIKAM MUNISWAMY
AGED ABOUT 75 YEARS

- 2 . SUDARSHAN PIPES EXTRUSIONS PVT. LTD.
N-603, SNN RAJ LAKE VIEW APARTMENTS,
29TH MAIN, BTM LAYOUT
BANGALORE, KARNATAKA – 560 076
REPRESENTED BY ITS DIRECTOR
SRI ARVIND KUMAR SALAMPURIA
S/O LATE SRI K.L. SALAMPURIA
AGED ABOUT 58 YEARS

...APPELLANTS

(BY SRI SUBBA RAO G.S., ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION
CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,

SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET-ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE DATED 10/10/2023 IN W.P. NO.22425/2023 BY ALLOWING THE WRIT APPEAL, DISMISS THE WRIT PETITION FILED BY RESPONDENT NOS.1 AND 2 AND RETAIN THE EXISTING REVISION OF MINIMUM WAGES & ETC.

IN W.A. NO. 141 OF 2024

BETWEEN:

- 1 . FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI),
FEDERATION HOUSE
K.G. ROAD, BANGALORE – 560 009
REPRESENTED BY ITS SECRETARY GENERAL,
SRI .M. LOKARAJ,
S/O MANICKAM MUNISWAMY,
AGED ABOUT 75 YEARS

- 2 . FEATHERLITE PRODUCTS PVT. LTD.
16/A, MILLERS ROAD, K.K.M.P BUILDING,
VASANTHNAGAR,
BANGALORE – 560 052
REPRESENTED BY ITS DIRECTOR,
SRI DHIREN GOPAL,
S/O GOPAL RAMNARAYAN,
AGED ABOUT 60 YEARS

...APPELLANTS

(BY SRI SUBBA RAO G.S., ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION
CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

- 2 . ENGINEERING AND GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET-ASIDE THE ORDER 26.09.2023 IN W.P. No.13153/2023 BY ALLOWING THE WRIT APPEAL, DISMISS THE WRIT PETITION FILED BY RESPONDENT Nos.1 AND 2 AND PASS AN ORDER TO RETAIN THE EXISTING REVISION OF THE MINIMUM WAGES & ETC.

IN W.A. NO. 142 OF 2024

BETWEEN:

- 1 . FEDERATION OF KARNATAKA CHAMBERS OF
COMMERCE AND INDUSTRY (FKCCI)
FEDERATION HOUSE,
K.G. ROAD,
BANGALORE - 560 009,
REPRESENTED BY ITS
SECRETARY GENERAL,
SRI M. LOKRAJ,
S/O. MANICKAM MUNISWAMY,
AGED ABOUT 75 YEARS.

- 2 . KARNATAKA DRUGS & PHARMACEUTICALS
MANUFACTURES ASSOCIATION
38, BHARAT DELUXE APARTMENT,
44/1, A AND B, FAIRFIELD LAYOUT,

RACE COURSE ROAD,
BANGALORE - 560 001.
REPRESENTED BY ITS SECRETARY GENERAL,
SRI GAJANAN
CHANDRASHEKHAR SASTRY,
S/O. K.S.C. SASTRY,
AGED ABOUT 61 YEARS.

- 3 . SRUSHTI PHARMACEUTICALS PVT. LTD.,
154, 10TH MAIN ROAD,
PEENYA IIIIRD PHASE,
BANGALORE - 560 058,,
REPRESENTED BY ITS DIRECTOR,
MR. JATISH SHETH,
S/O. MR. N.K. SHETH,
AGED ABOUT 67 YEARS.

...APPELLANTS

(BY SRI SUBBA RAO G.S., ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION
CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & R-2,
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET-ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE DATED 10/10/2023 IN W.P. NO.22543/2023 BY ALLOWING THE WRIT APPEAL, DISMISS THE WRIT PETITION FILED BY RESPONDENT NOS.1 AND 2 AND PASS AN ORDER TO RETAIN THE EXISTING REVISION OF MINIMUM WAGES & ETC.

IN W.A. NO. 148 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS ASSOCIATION
HAVING ITS OFFICE AT:
NO.74,2ND FLOOR,SHANKARA ARCADE
VANI VILAS ROAD,BENGALURU – 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT, 1926,
REPRESENTED THROUGH ITS
SECRETARY GENERAL
SRI SEETHARAM BHAT.

- 2 . ANHEUSER BUSCH INBEV INDIA LIMITED
6TH FLOOR, GREEN HEART BUILDING,
MFAR MANYATA TECH PARK,
PHASE-IV, NAGAVARA,
BENGALURU – 560 045
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 1956,
ENGAGED IN THE PRODUCTION,
DISTRIBUTION AND SALE OF BEER,
ALCOHOLIC BEVERAGES AND SOFT DRINKS,
REPRESENTED BY ITS SENIOR MANAGER,
LEGAL AND COMPLIANCE,
SRI. ABHIMAN MOODITHAYA.

...APPELLANTS

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020

- REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL CHIEF SECRETARY
- RESPONDENTS
- (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 26.09.2023 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. No.13143/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS. 1 AND 2.

IN W.A. NO. 156 OF 2024

BETWEEN:

- 1 . FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI)
FEDERATION HOUSE, K.G. ROAD,
BANGALORE - 560 009
REPRESENTED BY ITS
SECRETARY GENERAL
SRI. M LOKRAJ
S/O MANICKAM MUNISWAMY
AGED ABOUT 75 YEARS
- 2 . BOWRING INSTITUTION
19,ST. MARK'S RD, SHANTHALANAGAR
ASHOK NAGAR, BENGALURU
KARNATAKA - 560 001
REPRESENTED BY ITS

SECRETARY
MR. H.S. SHRIKANT
S/O LATE H.D. SATHYAN
AGED ABOUT 63 YEARS

- 3 . FEDERATION OF CLUBS
BANGALORE CLUB
FIELD MARSHAL K.M. KARIYAPPA ROAD,
BANGALORE - 560 025
REPRESENTED BY ITS
PRESIDENT
MR. H.S. SHRIKANT
S/O LATE H D SATHYAN
AGED ABOUT 63 YEARS
- 4 . CENTURY CLUB
1, SESHADRI RD
NUNEGUNDLAPALLI,
AMBEDKAR VEEDHI,
BENGALURU, KARNATAKA - 560 001
REPRESENTED BY ITS HON. SECRETARY
MR. BALASUBRAMANIAM
SRINIVASAN
S/O V SRINIVASAN
AGED ABOUT 58 YEARS
- 5 . KARNATAKA STATE BILLIARDS ASSOCIATION
5/1, JASMA BHAVAN ROAD
VASANTH NAGAR
BENGALURU
KARNATAKA - 560 052
RERPESENTED BY ITS
HON . SECRETARY
MR. H.E. ANAND S/O H.P. ERAPPA
AGED ABOUT 40 YEARS
- 6 . THE MALLESHWARAM ASSOCIATION
#110, 7TH CROSS, MARGOSA ROAD
OPP. MALLESHARAM, BENGALURU
KARNATAKA - 560 003
REPRESENTED BY ITS HON. SECRETARY
MR. B. MURALIDHARA
S/O. C. BETTASWAMY GOWDA
AGED ABOUT 53 YEARS
- 7 . THE BANGALORE CLUB

FIELD MARSHAL K.M. CARIAPPA ROAD
BANGALORE - 560 025, INDIA,
REPRESENTED BY ITS HON. SECRETARY
MR. KRISHNA KUMAR NAIR
S/O LATE K P D NAIR
AGED ABOUT 58 YEARS

...APPELLANTS

(BY SRI SUBBA RAO G.S., ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND
GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN,
VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2,
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET-ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE DATED 26/09/2023 IN W.P. NO.13464/2023 BY ALLOWING THE WRIT APPEAL, DISMISS THE WRIT PETITION FILED BY RESPONDENT NOS.1 AND 2 AND TO PASS AN ORDER TO RETAIN THE EXISTING REVISION OF MINIMUM WAGES.

IN W.A. NO. 159 OF 2024

BETWEEN:

- 1 . FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI)
FEDERATION HOUSE, K G ROAD,
BANGALORE – 560 009
REPRESENTED BY ITS
SECRETARY GENERAL,
SRI M LOKRAJ,
S/O MANICKAM MUNISWAMY,
AGED ABOUT 75 YEARS

- 2 . M/S BALIGA FISHNETS
NH NO. 66, HANUMANTA NAGAR,
PUTTUR, UDUPI - 576105
REPRESENTED BY ITS
MANAGING PARTNER,
MR. MURALIDHAR BALIGA,
S/O LATE VAMAN BALIGA
AGED ABOUT 63 YEARS

...APPELLANTS

(BY SRI SUBBA RAO G.S., ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

- 2 . ENGINEERING AND
GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN,
VYALIKAVAl,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,

DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2,
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE DATED 26.09.2023 IN W.P. No. 3665 OF 2023 BY ALLOWING THE WRIT APPEAL, DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS. 1 AND 2 AND PASS AN ORDER TO RETAIN THE EXISTING REVISION OF MINIMUM WAGES & ETC.

IN W.A. NO. 160 OF 2024

BETWEEN:

- 1 . FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE AND
INDUSTRY (FKCCI), FEDERATION HOUSE
K.G. ROAD, BANGALORE – 560 009
REPRESENTED BY ITS
SECRETARY GENERAL,
SRI M LOKRAJ
S/O MANICKAM MUNISWAMY
AGED ABOUT 75 YEARS.

- 2 . SIL GLASS AND PLYWOODS
NO.623, 50TH CROSS,
3RD BLOCK, RAJAJINAGAR
BANGALORE – 560 010
REPRESENTED BY ITS
MANAGING PARTNER
SMT. P. ROOPA
D/O K R PARANJOTHI
AGED ABOUT 43 YEARS

...APPELLANTS

(BY SRI SUBBA RAO G.S., ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

- 2 . ENGINEERING AND
GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN,
VYALIKAVAl,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2,
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET-ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE DATED 12/10/2023 IN W.P. NO.22994/2023 BY ALLOWING THE WRIT APPEAL, DISMISS THE WRIT PETITION FILED BY RESPONDENT NOS.1 AND 2 AND TO PASS AN ORDER TO RETAIN THE EXISTING REVISION OF MINIMUM WAGES & ETC.

IN W.A. NO. 161 OF 2024

BETWEEN:

- 1 . THE EMPLOYEES FEDERATION OF
SOUTHERN INDIA,
CHENNAI ,
TAMILNADU
REP. BY ITS SECRETARY GENERAL

- 2 . PEENYA INDUSTRIES ASSOCIATION
18/B PEENYA TRADE CENTRE
1ST CROSS ROAD,
PEENYA 1ST STAGE,
PEENYA, BENGALURU – 560 058
REP BY ITS PRESIDENT.
- 3 . ELECTRONICS AND CONTROLS POWER
SYSTEM PVT. LTD.
R.T. NAGAR,
BENGALURU – 560 032
REP. BY MR. RAJARAM RAMMOORTHY
- 4 . ASHWINI HARD CHROME INDUSTRIES
PEENYA INDUSTRIAL AREA,
BENGALURU – 560 058
REP. BY MR A.P. SELAKUMAR
- 5 . LAKSHMI ELECTRO PLATERS
PEENYA INDUSTRIAL AREA,
BENGALURU – 560 058
REP. BY MR. S.K. SHANNAPPA
- 6 . VIJAY METAL FINISHERS
PEENYA INDUSTRIAL AREA,
BENGALURU – 560 058
REP. BY DR RUDHESH H.B.
- 7 . SHANKAR CASHEW EXPORTS
DOOPADAKATTE
KARNATAKA – 576 124
REP. BY MR. SHANKAR SUVARNA
- 8 . P.S. AGRO FOODS
NO 2/3,72ND CROSS,
6TH BLOCK, RAJAJINAGAR,
BANGALORE – 560 010
REP. BY MR. VIKRAM GOLECHA
- 9 . GLITTER PRINTZ
KSSIDC INDL. ESTATE
RAJAJINAGAR
BENGALURU – 560 010
REP. BY MR. VASUDEVAN V.R.

- 10 . R.R. INDUSTRIES
No.447, 1ST MAIN ROAD,
7TH CROSS, PRKASHNAGAR,
BENGALURU – 560 021
REP BY MR. R.R. DURAI
- 11 . BENAKA ELECTRONICS
13, WEST OF CHORD ROAD,
4TH MAIN, 4TH CROSS,
INDUSTRIAL TOWN
BENGALURU – 560 044
REP. BY MR K. VENKATESH
- 12 . FINE TOOLS (INDIA) PVT. LTD.
PEENYA, BANGALORE – 560 058
REP. BY MR.MOHAN S.S.
- 13 . VISAT TOOLS PVT. LTD
PEENYA
BANGALORE – 560 058
REP. BY MR VIRUPAXAPPA
- 14 . SANJAY POLYMERS
NO 29/1, 1ST MAIN, 1ST CROSS,
PETECHENNAPPA INDUSTRIAL ESTATE,
KAMAKSHIPALYA MAGADI ROAD,
BENGALURU – 560 079
REP. BY MR SHRIYANS KUMAR JAIN
- 15 . SRI LUXMI ELECTROPLATING
PEENYA INDUSTRIAL AREA,
BENGALUR – 560 058
REP. BY MR. L.C. RAMAKRISHNA
- 16 . POLYMET DIMENSIONS
MAGADI MAIN ROAD,
BENGALURU – 560 079
REP. BY MR. RAJESH S.B.
- 17 . BIHANI CONTAINERS
NO C -132, 2ND B MAIN,
PEENYA INDUSTRIAL ESTATE,
2ND STAGE, PEENYA,
BENGALURU – 560 058
REP. BY MR. PAWAN KUMAR BIHANI

- 18 . BIHANI PLASTICS
CF-A, MS COMPLEX,
6TH MAIN, 2ND STAGE,
PEENYA INDUSTRIAL ESTATE
BENGALURU – 560 058
REP. BY MR. PAWAN KUMAR BIHANI
- 19 . PRIMEX PLASTICS (P) LTD
NO 48/1, 8TH MAIN,
SLV INDUSTRIAL ESTATE,
PEENYA 2ND STAGE
BENGALURU – 560 058
REP BY MR. SHARANA BASAVA
- 20 . ARADHANA FIBREGLASS TECHNOLOGIES
No.295, 8TH CROSS,
4TH PHASE, PEENYA INDUSTRIAL AREA
BENGALURU – 560 058
REP. BY MR. K. VIJAYAPRAKASH
- 21 . ESKAY POLYMERS
C-40, 2ND MAIN , KSSIDC INDUSTRIAL ESTATE
DODDABALLAPURA – 562 163
REP. BY MR. SUDHAKAR ADIGA
- ...APPELLANTS
- (BY SRI K. KASTURI, SENIOR ADVOCATE FOR
SMT. SUBHA ANANTHI K., ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
REGISTERED UNDER THE TRADE UNIONS ACT, 1926,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL WORKERS UNION
REGISTERED UNDER THE TRADE UNIONS ACT, 1926,
BENGALURU DISTRICT,
GHATA BHAVAN, VYALIKAVAl,
G.D. PARK, EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

3 . THE STATE OF KARNATAKA
REP. BY THE DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO ALLOW THE APPEAL AND SET ASIDE THE JUDGMENT OF THE HON'BLE SINGLE JUDGE DATED 12/10/2023 IN W.P. NO.22430/2023 (L-MW) C/W. W.P. 13304/2023 (L-MW), W.P. No. 13441/2023 (L-MW), W.P. No. 133153/2023 (L-MW), W.P. No. 13150/2023 (L-MW), W.P. No. 3622/2023 (L-MW), W.P. No.13125/2023 (L-MW) ALL DTD.26.09.2023, GIVING SUCH BROAD DIRECTIONS TO REDO ALL THE NOTIFICATIONS CONCERNING THE APPELLATE MEMBERS.

IN W.A. NO. 162 OF 2024

BETWEEN:

- 1 . FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI),
FEDERATION HOUSE, K.G. ROAD,
BANGALORE – 560 009
REPRESENTED BY ITS SECRETARY GENERAL,
SRI M. LOKARAJ,
S/O MANICKAM MUNISWAMY,
AGED ABOUT 75 YEARS

- 2 . MILESTONE BUILDERS
98/2, 60TH MAIN,
MILESTONE PALMS LAYOUT,
HARAGADDE, JIGAJI
BENGALURU URBAN
KARNATAKA - 562106
REP. BY ITS MANAGING PARTNER

PRAVEEN BETHAPUDI
S/O KRIPANANDAM
AGED ABOUT 42 YEARS

...APPELLANTS

(BY SRI SUBBA RAO G.S., ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R)
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020.
REP BY ITS GENERAL SECRETARY
- 2 . ENGINEERING & GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT, GHATE BHAVAN,
VYALIKAVAL, G.D. PARK EXTENSION,
BENGALURU – 560 003.
REPRESENTED BY ITS
GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA,
5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001,
REPRESENTED BY ITS
ADDITIONAL CHIEF SECRETARY

... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & R-2,
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET-ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE DATED 12/10/2023 IN W.P. NO.22430/2023 BY ALLOWING THE WRIT APPEAL, DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS.1 AND 2 AND PASS AN ORDER TO RETAIN THE EXISTING REVISION OF MINIMUM WAGES & ETC.

IN W.A. NO. 165 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO 74, 2ND FLOOR, SHANKARA ARCADE,
VANI VILAS ROAD
BENGALURU – 560 004
AN ASSOCIATION REGISETERED UNDER
THE TRADE UNION ACT 1926
REPRESENTED THROUGH ITS
SECRETARY GENERAL
SRI SEETHARAM BHAT.

- 2 . THE B. VENKAT RAO AND
S SAJJAN RAO MAHRATTA
STUDENTS HOME
No. 4, BULL TEMPLE ROAD,
SHANKARAPURAM,
BENGALURU - 560 004
A CHARITABLE TRUST REGISTERED UNDER
SECTION 12A OF THE INCOME TAX ACT,
1961 REPRESENTED THROUGH ITS
HONARARY SECRETARY & TREASURER
SRI AJAY KADAM.

...APPELLANTS

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

- 2 . ENGINEERING AND GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 26.09.2023 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. No. 13103/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No. 1 AND 2.

IN W.A. NO. 166 OF 2024

BETWEEN:

- 1 . FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE AND
INDUSTRY (FKCCI) FEDERATION HOUSE,
KG ROAD, BANGALORE - 560 009
REPRESENTED BY ITS
SECRETARY GENERAL,
SRI M. LOKRAJ
S/O MANICKAM MUNISWAMY,
AGED ABOUT 75 YEARS.
- 2 . KARNATAKA DRUGS &
PHARMACEUTICALS
MANUFACTURERS ASSOCIATION
38, BHARAT DELUXE
APARTMENT, 44/1, A & B,
FAIRFIELD LAYOUT,
RACE COURSE ROAD,
BANGALORE - 560 001
REPRESENTED BY ITS
SECRETARY GENERAL,
SRI GAJANAN CHANDRASHEKAR SASTRY
S/O K.S.C SASTRY
AGED ABOUT 61 YEARS

- 3 . SRUSHTI PHARACEUTICALS PVT. LTD.
154, 10TH MAIN ROAD,
PEENYA IIIIRD PHASE,
BANGALORE - 560 058
REPRESENTED BY ITS DIRECTOR,
MR JATISH SHETH,
S/O MR N.K. SHETH,
AGED ABOUT 67 YEARS

...APPELLANTS

(BY SRI SUBBA RAO G.S., ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE DATED 26.09.2023 IN WP No.13171/2023 BY ALLOWING THE WRIT APPEAL DISMISS THE WRIT PETITION FILED BY RESPONDENT No.1 AND 2 AND PASS AN ORDER TO RETAIN THE EXISTING REVISION OF MINIMUM WAGES & ETC.

IN W.A. NO. 170 OF 2024

BETWEEN:

- 1 . FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI)
FEDERATION HOUSE, K G ROAD,
BANGALORE - 560 009.
REPRESENTED BY ITS SECRETARY GENERAL,
SRI M LOKRAJ
S/O MANICKAM MUNISWAMY
AGED ABOUT 75 YEARS

- 2 . UNIX ENTERPRISES
GROUND FLOOR, 80,
MOSQUE ROAD, FRAZER TOWN
BANGALORE - 560 005
REPRESENTED BY ITS PROPRIETOR
SRI AZHAR PASHA
S/O IQBAL PASHA
AGED ABOUT 36 YEARS

...APPELLANTS

(BY SRI SUBBA RAO G.S., ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001

REP. BY ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE DATED 26.09.2023 IN W.P. No. 3643 OF 2023 BY ALLOWING THE WRIT APPEAL, DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS. 1 AND 2 AND PASS AN ORDER TO RETAIN THE EXISTING REVISION OF MINIMUM WAGES & ETC.

IN W.A. NO. 177 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS ASSOCIATION
HAVING ITS OFFICE AT:
NO.74, 2ND FLOOR
SHANAKRA ARCADE
VANI VILAS ROAD, BENGALURU - 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT, 1926
REPRESENTED THROUGH ITS SECRETARY GENERAL
SRI SEETHARAM BHAT.

- 2 . PRISM JOHNSON LIMITED
TIME SQUARE 319/C
3RD FLOOR, KASTURI NAGAR MAIN ROAD,
OPPOSITE NEW JANAPRIYA HOSPITAL
KASTURI NAGAR, BENGALURU - 560 043
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 1956
ENGAGED IN SUPPLY OF READY MIX CONCRETE
REPRESENTED BY ITS
DEPUTY MANAGER HR AND ADMIN
(SOUTH ZONE 1 & 3)
SRI GADILINGA M.

...APPELLANTS

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

- 2 . ENGINEERING AND GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 12/10/2023 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. NO. 22430/2023(L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT - 1 AND 2.

IN W.A. NO. 216 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO.74, 2ND FLOOR, SHANKARA ARCADE
VANI VILAS ROAD
BENGALURU - 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT 1926
REPRESENTED THROUGH ITS
SECRETARY GENERAL SRI SEETHARAM BHAT

- 2 . HANDIMAN SERVICES LIMITED
NO.12/2, HAUDIN ROAD
YELLAPPA CHETTY LAYOUT
SHIVAN CHETTI LAYOUT
SHIVAN CHETTI GARDENS
ULSOOR, BENGALURU - 560 042
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 1956
THE COMPANY PROVIDES HOUSEKEEPING SERVICES
GARDENING ETC. TO VARIOUS COMPANIES
REPRESENTED BY ITS MANAGING DIRECTOR
SRI PORUS IRANNI.

...APPELLANTS

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED

26/09/2023 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. NO.3621/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT-1 AND 2.

IN W.A. NO. 316 OF 2024

BETWEEN:

- 1 . PRIVATE HOSPITALS AND NURSING HOME ASSOCIATION
NO 16/6, MILLER TANK BUND ROAD,
VASANTHNAGAR,
BANGALORE - 560 052
AN ASSOCIATION OF PRIVATE HOSPITALS
AND NURSING HOMES, REGISTERED UNDER THE
KARNATAKA SOCIETIES REGISTRATION ACT,1960
REPRESENTED BY ITS PRESIDENT
DR. GOVINDAIAH YATHEESH.

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAl,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 10.10.2023 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. No. 22452/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT 1 AND 2.

IN W.A. NO. 413 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO. 74, 2ND FLOOR, SHANKARA ARCADE
VANI VILAS ROAD, BENGALURU - 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT 1926
REPRESENTED THROUGH ITS SECRETARY GENERAL
SRI SEETHARAM BHAT

- 2 . PHARMED LIMITED
HAVING ITS OFFICE AT:
SATTVA MINDCOMP TECH PARK,
GROUND FLOOR, OFFICE-1,
149-A, EPIP II PHASE,
WHITEFIELD INDUSTRIAL AREA,
BENGALURU - 560 066.
A COMPANY INCORPORATED UNDER
THE COMPANIES ACT, 1956
REPRESENTED THROUGH ITS
SENIOR EXECUTIVE, VICE PRESIDENT - H.R.
DR. UMMER S.S. BEEJADAKATTE.

...APPELLANTS

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,

BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & 2,
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED
10.10.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP No.
22543/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY
THE RESPONDENT 1 AND 2.

IN W.A. NO. 438 OF 2024

BETWEEN:

1 . KARNATAKA EMPLOYERS ASSOCIATION
HAVING ITS OFFICE AT:
No. 74, 2ND FLOOR, SHANKARA ARCADE,
VANI VILAS ROAD, BENGALURU - 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT 1926
REPRESENTED THROUGH ITS
SECRETARY GENERAL
SRI SEETHARAM BHAT

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAl,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED
26/09/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP
NO.13171/2023 AND CONSEQUENTLY DISMISS THE WRIT
PETITION FILED BY THE RESPONDENTS-1 AND 2.

IN W.A. NO. 502 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO. 74, 2ND FLOOR, SHANKARA ARCADE,
VANI VILAS ROAD, BENGALURU - 560 004
AN ASSOCIATION REGISTERED UNDER

THE TRADE UNIONS ACT 1926
REPRESENTED THROUGH ITS
SECRETARY GENERAL
SRI SEETHARAM BHAT.

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED
26/09/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP
NO.13409/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY
THE RESPONDENTS-1 AND 2.

IN W.A. NO. 511 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO. 74, 2ND FLOOR, SHANKARA ARCADE
VANI VILAS ROAD,
BENGALURU - 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT, 1926
RERPESENTED THROUGH ITS
SECRETARY GENERAL
SRI SEETHARAM BHAT

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 26.09.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP No. 13464/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND 2.

IN W.A. NO. 533 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO 74, 2ND FLOOR, SHANKARA ARCADE
VANI VILAS ROAD, BENGALURU - 560 004
AN ASSOCIATION REGISTERD UNDER
THE TRADE UNIONS ACT,1926
REPRESENTED THRUUGH
ITS SECRETARY GENERAL
SRI SEETHARAM BHAT

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001

REP. BY ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 26.09.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP No. 13527/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No. 1 AND 2.

IN W.A. NO. 542 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS ASSOCIATION
HAVING ITS OFFICE AT:
NO 74, 2ND FLOOR,
SHANKARA ARCADE,
VANI VILAS ROAD,
BENGALURU - 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNION ACT 1926
REPRESENTED THROUGH ITS SECRETARY GENERAL
SRI SEETHARAM BHAT.

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,

BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 26.09.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP No.13304/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND 2.

IN W.A. NO. 543 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO 74, 2ND FLOOR, SHANKARA ARCADE
VANI VILAS ROAD, BENGALURU - 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT 1926
REPRESENTED THROUGH ITS SECRETARY GENERAL
SRI SEETHARAM BHAT

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED
26.09.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP No.
13441/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY
THE RESPONDENT 1 AND 2.

IN W.A. NO. 545 OF 2024

BETWEEN:

1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO 74, 2ND FLOOR,
SHANKARA ARCADE
VANI VILAS ROAD,
BENGALURU-560004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT 1926
REPRESENTED THROUGH ITS
SECRETARY GENERAL
SRI SEETHARAM BHAT

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REPRESENTED BY ITS
GENERAL SECRETARY

- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAl,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REPRESENTED BY ITS
GENERAL SECRETARY

- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ITS ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED
26/09/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP
NO.13163/2023 AND DISMISS THE WRIT PETITION FILED BY THE
RESPONDENTS-1 AND 2.

IN W.A. NO. 553 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT,

NO. 74, 2ND FLOOR, SHANKARA ARCADE,
VANI VILAS ROAD, BENGALURU - 560 004.
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT, 1926
REPRESENTED
THROUGH ITS SECRETARY GENERAL,
SRI SEETHARAM BHAT.

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ITS ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED
26.09.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP
No.13150/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY
THE RESPONDENT No.1 AND 2.

IN W.A. NO. 565 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS ASSOCIATION
HAVING ITS OFFICE AT:
NO.74, 2ND FLOOR,
SHANAKRA ARCADE VANI VILAS ROAD,
BENGALURU - 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNION ACT 1926
REPRESENTED THROUGH ITS SECRETARY GENERAL
SRI SEETHARAM BHAT

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ITS ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 26/09/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.13172/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS.1 AND 2.

IN W.A. NO. 567 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO. 74, 2ND FLOOR, SHANKARA ARCADE
VANI VILAS ROAD,
BENGALURU - 560 004,
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT, 1926
REPRESENTED THROUGH ITS
SECRETARY GENERAL
SRI SEETHARAM BHAT.

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,

BENGALURU – 560 001
REP. BY ITS ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 26/09/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.13447/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS.1 AND 2.

IN W.A. NO. 570 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
No.74 2ND FLOOR, SHANKARA ARCADE,
VANI VILAS ROAD
BENGALURU - 560 004,
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT, 1926
REPRESENTED THROUGH ITS SECRETARY GENERAL
SRI SEETHARAM BHAT.

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,

BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ITS ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO ASIDE THE ORDER DATED 26.09.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP No.13153/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND 2.

IN W.A. NO. 572 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO.74, 2ND FLOOR, SHANKARA ARCADE
VANI VILAS ROAD, BENGALURU - 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT 1926
REPRESENTED THROUGH ITS SECRETARY GENERAL
SRI SEETHARAM BHAT

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ITS ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED
26/09/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP
NO.13121/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT
PETITION FILED BY THE RESPONDENT NOS.1 AND 2.

IN W.A. NO. 573 OF 2024

BETWEEN:

1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING OFFICE AT NO.74,2ND FLOOR,
SHANKARA ARCADE
VANI VILAS ROAD,
BENGALURU - 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT 1926
REPRESENTED BY ITS
SECRETARY GENERAL
SRI SEETHARAM BHAT

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAl,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ITS ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 10/10/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.22481/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS.1 AND 2.

IN W.A. NO. 574 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO.74, 2ND FLOOR,
SHANKARA ARCADE VANI VILAS ROAD,

BENGALURU - 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT 1926 REPRESENTED
THROUGH ITS SECRETARY GENERAL
SRI SEETHARAM BHAT

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ITS ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED
12.10.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP
No.22994/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT
PETITION FILED BY THE RESPONDENT No.1 AND 2.

IN W.A. NO. 575 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO.74, 2ND FLOOR,
SHANKARA ARCADE VANI VILAS ROAD,
BENGALURU - 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT 1926 REPRESENTED
THROUGH ITS SECRETARY GENERAL
SRI SEETHARAM BHAT

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ITS ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 26/09/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.3625/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NO.1 AND 2.

IN W.A. NO. 576 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO.74, 2ND FLOOR,
SHANKARA ARCADE VANI VILAS ROAD,
BENGALURU - 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT 1926
REPRESENTED THROUGH ITS
SECRETARY GENERAL
SRI SEETHARAM BHAT

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,

BENGALURU – 560 001
REP. BY ITS ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 10.10.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP No.22425/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No-1 AND 2.

IN W.A. NO. 577 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO.74, 2ND FLOOR,
SHANKARA ARCADE VANI VILAS ROAD,
BENGALURU - 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT 1926
REPRESENTED THROUGH ITS
SECRETARY GENERAL
SRI SEETHARAM BHAT

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,

G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ITS ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 10/10/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.22419/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS.1 AND 2.

IN W.A. NO. 578 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO.74, 2ND FLOOR,
SHANKARA ARCADE VANI VILAS ROAD,
BENGALURU - 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT 1926 REPRESENTED
THROUGH ITS SECRETARY GENERAL
SRI SEETHARAM BHAT

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,

BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ITS ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED
26.09.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP
No.3643/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT
PETITION FILED BY THE RESPONDENT No.1 AND 2.

IN W.A. NO. 579 OF 2024

BETWEEN:

1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO.74, 2ND FLOOR,
SHANKARA ARCADE VANI VILAS ROAD,
BENGALURU - 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT 1926 REPRESENTED
THROUGH ITS SECRETARY GENERAL
SRI SEETHARAM BHAT

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ITS ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 10/10/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.22471/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS.1 AND 2.

IN W.A. NO. 580 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO.74, 2ND FLOOR,
SHANKARA ARCADE VANI VILAS ROAD,
BENGALURU - 560 004

AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT 1926
REPRESENTED THROUGH ITS
SECRETARY GENERAL
SRI SEETHARAM BHAT

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ITS ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH
COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED
10.10.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP
No.22540/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT
PETITION FILED BY THE RESPONDENT No.1 AND 2.

IN W.A. NO. 581 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO.74, 2ND FLOOR,
SHANKARA ARCADE VANI VILAS ROAD,
BENGALURU - 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT 1926 REPRESENTED
THROUGH ITS SECRETARY GENERAL
SRI SEETHARAM BHAT

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ITS ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 10/10/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.22560/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS.1 AND 2.

IN W.A. NO. 583 OF 2024

BETWEEN:

- 1 . KARNATAKA EMPLOYERS' ASSOCIATION
HAVING ITS OFFICE AT:
NO.74, 2ND FLOOR,
SHANKARA ARCADE VANI VILAS ROAD,
BENGALURU - 560 004
AN ASSOCIATION REGISTERED UNDER
THE TRADE UNIONS ACT 1926 REPRESENTED
THROUGH ITS SECRETARY GENERAL
SRI SEETHARAM BHAT

...APPELLANT

(BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W
SRI B.C. PRABHAKAR, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY
- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY
- 3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,

BENGALURU – 560 001
REP. BY ITS ADDITIONAL CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER DATED 26/09/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.3665/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS.1 AND 2.

IN W.A. NO. 644 OF 2024

BETWEEN:

- 1 . FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI)
FEDERATION HOSUE, K G ROAD
BANGALORE - 560 009
REPRESENTED BY ITS
SECRETARY GENERAL
SRI M LOKRAJ
S/O MANICKRAM MUNISWAMY
AGED ABOUT 75 YEARS

- 2 . KARNATAKA FILM CHAMBER OF COMEMRCE
No.28, 1ST MAIN, CRESCENT ROAD
BANGALORE - 560 001
REPRSENTED BY ITS SECRETARY
R SUNDAR RAJU
S/O LATE G RAJANNA
AGED ABOUT 58 YEARS

...APPELLANTS

(BY SRI SUBBA RAO G.S., ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION
CONGRESS (R), KARNATAKA
STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,

BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

3 . THE STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1,
SRI V.R. DATAR, ADVOCATE FOR R-2 &
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE DATED 10.10.2023 IN WP No.22471/2023 BY ALLOWING THE WRIT APPEAL, DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND 2 PASS AN ORDER TO RETAIN THE EXISTING REVISION OF MINIMUM WAGES.

IN W.A. NO. 905 OF 2024

BETWEEN:

1 . AMRUT DISTILLERIES LIMITED
A COMPANY REGISTERED UNDER
THE COMPANIES ACT 2013
HAVING ITS REGISTERED OFFICE AT:
NO.36, SAMPANGI TANK ROAD,
BANGALORE - 560 027
REPRESENTED BY ITS
MANAGING DIRECTOR

MR.RAKSHIT JAGDALE
AGED ABOUT 46 YEARS

...APPELLANT

(BY SRI HIEMATH PRAVEENKUMAR APPAYYA, ADVOCATE)

AND:

- 1 . ALL INDIA TRADE UNION CONGRESS (R),
KARNATAKA STATE COMMITTEE,
NO.6, SIRUR PARK ROAD,
SHESHADRIPURAM,
BENGALURU – 560 020
REP. BY ITS GENERAL SECRETARY

- 2 . ENGINEERING AND GENERAL
WORKERS UNION (R)
BENGALURU DISTRICT,
GHATE BHAVAN, VYALIKAVAL,
G.D. PARK EXTENSION,
BENGALURU – 560 003,
REP. BY ITS GENERAL SECRETARY

- 3 . STATE OF KARNATAKA
DEPARTMENT OF LABOUR,
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA, 5TH FLOOR,
DR. B.R. AMBEDKAR VEEDHI,
BENGALURU – 560 001
REP. BY ITS ADDITIONAL
CHIEF SECRETARY

.... RESPONDENTS

(BY SRI V. PRAKASH, SENIOR ADVOCATE A/W
SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & 2,
SMT. NILOUFER AKBAR, AGA FOR R-3)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE DATED 26.09.2023 IN WP No.13143/2023 BY ALLOWING THE WRIT APPEAL.

THESE WRIT APPEALS HAVING BEEN HEARD AND RESERVED FOR JUDGMENT, COMING ON FOR PRONOUNCEMENT THIS DAY, JUDGMENT WAS PRONOUNCED AS UNDER:

CORAM: HON'BLE THE CHIEF JUSTICE MR. JUSTICE
N.V. ANJARIA
and
HON'BLE MR JUSTICE K.V. ARAVIND

C.A.V. JUDGMENT

(PER: HON'BLE THE CHIEF JUSTICE
MR. JUSTICE N.V. ANJARIA)

In all the captioned appeals, 52 in numbers, not only common facts and identical issues are involved, also all the appellants have challenged the same judgment and order of learned Single Judge dated 26th September 2023 passed in writ petition No.3632 of 2023. Therefore, all the appeals which were heard together, are treated simultaneously by this common order for their disposal.

2. Similarly as in the case of first captioned writ appeal No.23 of 2024 where the appellant is an association of employers registered as Trade Union under the Trade Unions Act, 1926, in all other appeals also the appellants are employers or the association of employers representing the employers. All these appellants were not party to the main proceedings of writ petition decided by learned Single Judge. The respective applications filed by them for leave to appeal

were granted by this Court as per order dated 2nd August 20024 and they were permitted to prosecute their appeals.

2.1 As per the impugned judgment and order which is a common challenge, learned Single Judge set aside Notification dated 28th July 2022 issued by the Government under Section 3(1)(b) read with Section 5(1)(b) of the Minimum Wages Act, 1948, whereby the minimum rates of wages for the employments in the Foundry-with or without machine shop, came to be revised.

2.2 After setting aside the said Notification, learned Single Judge directed thus,

“The respondent shall redo the Notification impugned in the writ petition following strictly the procedure and norms fixed by the Hon’ble Apex Court in the case of **Reptakos Brett** in determining the rates of wages. The redone Notification will be given effect from 28th July 2022.”

2.3 The Government was directed to complete the entire process within an outer limit of two months.

3. Before advertng to the controversy, the case in the original petition filed by two Trade Unions of the employees namely All India Trade Union Congress (R), Karnataka State Committee, and Engineering & General Works Union,

Bengaluru, may be noticed in brief. The prayer was advanced by the said employees Unions to set aside the abovementioned Notification dated 28th July 2022 fixing the rates of minimum wages for the workers in accordance with guidelines prescribed by the Hon'ble Supreme Court in **Workmen vs. Reptakos Brett & Co. Ltd. [(1992) 1 SCC 290]**.

3.1 It was contended *inter alia* that both the petitioner Unions were concerned in relation to the fixation of rates of minimum wages for their member workers in the scheduled employments, that the fixation of rates of minimum wages is of statutory character and that guidelines are prescribed by the Supreme Court in **Reptakos Brett (supra)**. Section 3 of the Minimum Wages Act, 1948 (hereinafter 'the Act'), deals with fixation of new rates of wages and Section 4 which is about minimum rate of wages, came to be relied on, to submit that the provisions thereof would cover fixation of minimum rates of wages for the first time as well as periodical review thereof.

3.2 With regard to the challenge to the Notification dated 28th July 2022, it was the case sought to be elaborated by the petitioners that the rates of minimum wages proposed in the draft Notification did not have scientific or realistic basis and that no data was collected from the market survey in respect of

food items essential for calorie requirements. It was contended that the revision of rates of minimum wages by adding 5% to 10% over the rates fixed in the earlier Notification of 2015-16 was unacceptable and was arbitrary, contending further that the principles stated in **Reptakos Brett (supra)** were not followed while issuing Notification.

3.3 At this stage, the decision in **Reptakos Brett (supra)** of the Supreme Court may be noticed. The said decision arose from the decision of the Industrial Tribunal. The Reptakos Brett & Company Limited was engaged in the manufacture of pharmaceutical and dietetic speciality products and it had provided the slab system for dearness allowance, meaning thereby that the dearness allowance paid to the employees was linked to the cost of living index as well as the basic wages. The scheme was included in the settlement arrived between the Company and the workmen.

3.3.1 The dispute arose between the employer and the workmen in relation to the said subject matter and one of the issue addressed by the Tribunal was whether the demand of the management for restructuring of the dearness allowance was justified, if so, to frame a scheme. The Tribunal decided the issue in favour of the Company, and abolished the slab

system of dearness allowance and directed that the future dearness allowance in the Company be linked only to the cost of living index.

3.3.2 The Supreme Court held that the Tribunal was not justified in abolishing the slab system for D.A. which had operated in the Company for long 30 years and that there was no material on record to show that what was paid by the Company was higher than what would be required in view of the concept of need based minimum wage. It was held that the scheme cannot be allowed to be devised to the prejudice of the workmen on mere ground that the scheme resulted in over-neutralisation placing the workmen Union at higher wage level.

3.3.3 It was held that an employer is obliged to pay minimum wages to the employees and that the wage structure should approximately answer to six components, which was laid by the Supreme Court to be as under,

“(i) In calculating the minimum wage, the standard working class family should be taken to consist of 3 consumption units for one earner; the earnings of women, children and adolescents should be disregarded.

(ii) Minimum food requirement should be calculated on the basis of a net intake of calories, as recommended by Dr Aykroyd for an average Indian adult of moderate activity.

(iii) Clothing requirements should be estimated at per capita consumption of 18 yards per annum which would give for the average workers' family of four, a total of 72 yards.

(iv) In respect of housing, the rent corresponding to the minimum area provided for under Government's Industrial Housing Scheme should be taken into consideration in fixing the minimum wage.

(v) Fuel, lighting and other 'miscellaneous' items of expenditure should constitute 20 per cent of the total minimum wage.

(vi) Children's education, medical requirement minimum recreation including festivals/ ceremonies and provision for old age marriages etc. should further constitute 25 per cent of the total minimum wage."

4. Heard learned Senior Advocate Mr. S. S. NAGANAND for learned advocate Mr. B. C. Prabhakar for the appellants in Writ Appeal Nos.23 of 2024, 78 of 2024, 87 of 2024, 88 of 2024, 148 of 2024, 165 of 2024, 177 of 2024, 216 of 2024, 316 of 2024, 413 of 2024, 438 of 2024, 502 of 2024, 511 of 2024, 533 of 2024, 542 of 2024, 543 of 2024, 545 of 2024, 553 of 2024, 565 of 2024, 567 of 2024, 570 of 2024, 572 of 2024, 573 of 2024, 574 of 2024, 575 of 2024, 576 of 2024, 577 of 2024, 578 of 2024, 579 of 2024, 580 of 2024, 581 of 2024, 583 of 2024, learned Senior Advocate Mr. K. Kasturi, for learned advocate Smt. Subha Ananthi K. for appellant in Writ

Appeal No.161 of 2024, learned advocate Mr. G.S. Subba Rao, for appellant in Writ Appeal Nos.53 of 2024, 54 of 2024, 82 of 2024, 90 of 2024, 92 of 2024, 93 of 2024, 94 of 2024, 107 of 2024, 113 of 2024, 139 of 2024, 141 of 2024, 142 of 2024, 156 of 2024, 159 of 2024, 160 of 2024, 162 of 2024, 166 of 2024, 170 of 2024, 644 of 2024, learned advocate Mr. Hiremath Praveen Kumar Appayya, for appellant in Writ Appeal No.905 of 2024, learned Senior Advocate Mr. V. Prakash for learned advocate Mr. K. B. Narayanaswamy, for respondent Nos.1 and 2 in Writ Appeal Nos.23 of 2024, 53 of 2024, 54 of 2024, 87 of 2024, 93 of 2024, 107 of 2024, 142 of 2024, 162 of 2024, 216 of 2024, 413 of 2024, 905 of 2024 and for respondent No.1 in Writ Appeal Nos.78 of 2024, 82 of 2024, 88 of 2024, 90 of 2024, 92 of 2024, 113 of 2024, 139 of 2024, 141 of 2024, 148 of 2024, 156 of 2024, 159 of 2024, 160 of 2024, 161 of 2024, 165 of 2024, 166 of 2024, 170 of 2024, 177 of 2024, 316 of 2024, 438 of 2024, 502 of 2024, 511 of 2024, 533 of 2024, 542 of 2024, 543 of 2024, 545 of 2024, 553 of 2024, 565 of 2024, 567 of 2024, 570 of 2024, 572 of 2024, 573 of 2024, 574 of 2024, 575 of 2024, 576 of 2024, 577 of 2024, 578 of 2024, 579 of 2024, 580 of 2024, 581 of 2024, 583 of 2024, 644 of 2024, learned advocate Mr. V. R. Datar for respondent No.2 in Writ Appeal Nos.78 of

2024, 82 of 2024, 88 of 2024, 90 of 2024, 92 of 2024, 113 of 2024, 139 of 2024, 141 of 2024, 148 of 2024, 156 of 2024, 159 of 2024, 160 of 2024, 161 of 2024, 165 of 2024, 166 of 2024, 170 of 2024, 177 of 2024, 316 of 2024, 438 of 2024, 502 of 2024, 511 of 2024, 533 of 2024, 542 of 2024, 543 of 2024, 545 of 2024, 553 of 2024, 565 of 2024, 567 of 2024, 570 of 2024, 572 of 2024, 573 of 2024, 574 of 2024, 575 of 2024, 576 of 2024, 577 of 2024, 578 of 2024, 579 of 2024, 580 of 2024, 581 of 2024, 583 of 2024, 644 of 2024 and learned Additional Government Advocate Smt. Niloufer Akbar for respondent No.3 in all Writ Appeals, at length.

4.1 Following main submissions were raised by learned Senior Advocate for the appellants,

- (i) When the State Government published the Notification dated 28th July 2022 in terms of Section 5(1)(b) of the Act, under said provision the appropriate Government had discretion to follow the procedure of Committee method contemplated in Section 5(1)(a) or Advisory Board method under Section 5(1)(b). While fixing the minimum wages for the first time, procedure under Section 5(1)(a) for data collection is followed, whereas for revision

of minimum wages, Advisory Board method under Section 5(1)(b) came to be followed.

- (ii) It was demonstrated from the record that the appellant-employers Union had made representations and they submitted their suggestions and objections before the Advisory Board at its different meetings. However, in the writ petition, they are not made parties by the employees Union who got set aside the Notification in absence of the appellants and without the version of the employers appreciated by learned Single Judge.
- (iii) In the entire exercise, the employers Association are a necessary stakeholders. They had no opportunity to put forward their case in the writ petition which resulted into setting aside of the Notification dated 28th July 2022.
- (iv) It is the practice to allow the participation of all stakeholders such as employees, employers Association and the Government who have interest in the subject, while undertaking process of fixation

of minimum wages and consequential issuance of Notification.

- (v) The decision of the Delhi High Court in **Federation of Okhla Industries Association vs. Lt. Governor of Delhi [(2018) III LLJ 622 Delhi]**, in which in respect of adopting the procedure under either Section 5(1)(a) or Section 5(1)(b) of the Act was highlighted.
- (vi) The minimum wages in Karnataka is highest compared to the neighbouring States and that the minimum wage is applicable to both small and big industries uniformly, therefore, care should be taken to ensure that the viability of small industries is not affected while fixing the minimum wages.
- (vii) It was elaborated that the decision of the Hon'ble Supreme Court **Reptakos Brett (supra)**, was not strictly on the subject matter dispute in as much as it related to the linkage of D.A. with minimum wages fixation adopted as slab system by the employer company. In the present case, the petitioners-Trade Unions have been asking for living

wage. The living wage or fair wage is distinct concept and have different connotation than minimum wage.

4.2 On the other hand, learned Senior Advocates for the respondents-original petitioners submitted that the guidelines laid down by the Apex Court in the decision in **Reptakos Brett (supra)**, are required to be followed and that the learned Single Judge was entire justified in remitting the matter back for redoing the Notification. It was further submitted that, Section 3 and Section 5 of the Act do not make distinction between fixing and revising the wages which are defined in Section 2(h) of the Act. It was submitted that issuance of Notification was a legislative function.

4.2.1 Reliance was placed on the decision of the Supreme Court in **English Newspaper (Private) Ltd. vs. Union of India [AIR 1958 SC 578]**. From the said decision, learned Senior Advocate referred to the observations in paragraph 67 to highlight that the 'fair wage' was a mean between the living wage and the minimum wage and even the minimum wage is something more than the bare minimum or subsistence wage. He next highlighted from paragraph 73 of the judgment the principles which may govern the fixation of rates of wages.

4.2.2 It was vehemently contended that Notification under Section 5(1) of the Act is a function in legislative nature, therefore giving hearing was not necessary. It was sought to be submitted that natural justice have no room in the process and therefore learned Single Judge could well consider the challenge to the Notification even in absence of the side of employers.

4.2.3 Learned Senior Advocates finally submitted that the employers have no say in the process. Therefore, they were neither the proper or necessary parties in the proceedings of the writ petition before the learned Single Judge, it was submitted.

5. One of the contentions sought to be raised on behalf of the original petitioners-respondents was that Notification dated 28th July 2022 issued under Section 5(1)(b) of the Act was a legislative act and that since it was a legislative act, principles of natural justice would not apply. Examining the above contention and disposing of the same at the outset, it has to be observed that even as the Notification under Section 5(1)(b) could be viewed as a piece of subordinate legislation as an ultimate product, the process leading to issuance thereof is a

blend of statutory exercise leading to the Notification. The exercise of statutory powers is under Section 5(1)(b) and that has to be in reasonable manner.

5.1 In the above context, when the exercise is under Section 5 of the Act which deals with the procedure for fixing and revising the minimum wages, the said provision may be looked at closely. It would be immediately clear that the class of employers are interested parties. Section 5 of the Act reads as under,

“5. Procedure for fixing and revising minimum wages.—

(1) In fixing minimum rates of wages in respect of any scheduled employment for the first time under this Act or in revising minimum rates of wages so fixed, the appropriate Government shall either—

(a) appoint as many committees and sub-committees as it considers necessary to hold enquiries and advise it in respect of such fixation or revision, as the case may be, or

(b) by notification in the Official Gazette, publish its proposals for the information of persons likely to be affected thereby and specify a date, not less than two months from the date of the notification, on which the proposals will be taken into consideration.

(2) After considering the advice of the committee or committees appointed under clause (a) of sub-section (1), or as the case may be, all representations received by it

before the date specified in the notification under clause (b) of that sub-section, the appropriate Government shall, by notification in the Official Gazette, fix, or, as the case may be, revise the minimum rates of wages in respect of each scheduled employment, and unless such notification otherwise provides, it shall come into force on the expiry of three months from the date of its issue:

Provided that where the appropriate Government proposes to revise the minimum rates of wages by the mode specified in clause (b) of sub-section (1), the appropriate Government shall consult the Advisory Board also."

5.1.1 The present exercise leading to the Notification fixing the wages came to be issued pursuant to exercise under Section 5(1)(b) of the Act as above. The said provision *inter alia* requires the approval of the Government to publish proposals for the information of persons likely to be affected thereby. The class of the employers indeed is a class who would be the stakeholders, interested party and affected group.

5.1.2 Furthermore, when Section 7 of the Act which deals with Advisory Board and Section 8 is about Central Advisory Board, as well as Section 9 providing for composition of the Committees, etc. contemplates that the Advisory Board would consist of persons nominated would be representing the employers also, and not only the employees. This is for the

obvious reason that the class of the employers is a stakeholder and a party who would be affected as their obligations would arise as an end result of the exercise of fixing and revising the minimum wages. When it is a question of revising the minimum wages, variety of factors would govern the ultimate act of issuance of Notification and incorporating the conditions and stipulations therein, in which, it is legitimate to conclude, that the employers should have their say and the stand.

5.1.3 The Notification in question precedes a statutory process in terms of Section 5(1)(b) of the Act. The principles of natural justice cannot be viewed to be foreign to such statutory exercise. The answer is available from the nature of provision and the stipulations contained therein, making the employers part of the exercise as stakeholders.

5.2 Not giving hearing to the appellants who are the employers and the stakeholders who would suffer the impact of the Notification, will render the exercise and the ultimate result to be unjust and in that sense arbitrary.

5.3 In **Indian Express Newspaper (Bombay) Pvt. Ltd. vs. Bennett Coleman and Co. Ltd. [AIR 1986 SC 515]**, the Supreme Court had an occasion to observe that although the

power to grant exemption under Section 25 of the Customs Act, 1962, is a legislative power and a Notification issued by the Government thereunder amounts to a piece of subordinate legislation, even then, the Notification is liable to be questioned on the ground that it is unreasonable one.

5.3.1 On the basis of the observations in **Indian Express Newspaper (Bombay) Pvt. Ltd. (supra)**, it is possible to observe that the legislative action can be called in question on the ground that it is unreasonable or arbitrary. Following observations of the Supreme Court are to be highlighted,

“A piece of subordinate legislation does not carry the same degree of immunity which is enjoyed by a statute passed by a competent Legislature. Subordinate legislation may be questioned on any of the grounds on which plenary legislation is questioned. In addition it may also be questioned on the ground that it does not conform to the statute under which it is made. It may further be questioned on the ground that it is contrary to some other statute. That is because subordinate legislation must yield to plenary legislation. It may also be questioned on the ground that it is unreasonable, unreasonable not in the sense of not being reasonable, but in the sense that it is manifestly arbitrary.” (para 73)

5.3.2 The Supreme Court in **Indian Express Newspaper (Bombay) Pvt. Ltd. (supra)**, also highlighted with approval

the observations from an English decision in **Mixnam Properties Ltd. vs. Chertsey U.D.C. [(1964 (1) QB 214]**,

“The various special grounds on which subordinate legislation has sometimes been said to be void ... can, I think, today be properly regarded as being particular applications of the general rule that subordinate legislation, to be valid, must be shown to be within the powers conferred by the statute. Thus, the kind of unreasonableness which invalidates a bye-law is not the antonym of ‘reasonableness’ in the sense in which that expression is used in the common law, but such manifest arbitrariness, injustice or partiality that a court would say: ‘Parliament never intended to give authority to make such rules; they are unreasonable and ultra vires’...if the courts can declare subordinate legislation to be invalid for ‘uncertainty’ as distinct from unenforceable... this must be because Parliament is to be presumed not to have intended to authorise the subordinate legislative authority to make changes in the existing law which are uncertain.” (para 73)

5.4 In **Vishakapatnam Port Trust and another vs. Ram Bahadur Takur Pvt. Ltd. [(1997) 4 SCC 582]**, the Supreme Court in the context of the provisions of Sections 52, 53, 42(1) and 48(1) of the Major Port Trusts Act, 1963, dealing with the aspect of framing of scale of rights for trans-shipment and shipping of goods by Board, observed that though *audi alteram partem* was not to be observed as a rule for the parties affected by legislative action or action of a delegated legislative

authority imposing any tax, fee or charges, however when the statute obliges the government to consider modification in or cancellation of the existing rate of charges, court would be justified in directing the government to consider their representation and it would be appropriate in such cases to give personal hearing to the parties.

5.5 The unreasonableness may unfold itself in more than one ways including on account of non observance of principles of natural justice when party affected is sidelined in the process.

5.6 A kind of exception could be said to have been carved out by the Apex Court to provide hearing to the party affected by the exercise which is statutory in nature in its essence, but has a legislative shade in form of subordinate legislation as its end product. At the cost of repetition, it is to be stated that the Notification under Section 5 of the Minimum Wages Act, 1948 takes its shape only after a statutory exercise in terms of Section 5(1)(b) is undergone.

5.6.1 As noted above, the class of the employers could not be excluded from the zone, by any stretch of logic to treat them outsiders. The employers have definite interest in the exercise and giving hearing to them would not only be just and proper,

but would also make the statutory exercise just, fair and reasonable. In this view, it has to be observed that the appellants were the necessary parties in the writ petition before the learned Single Judge.

5.7 The principles of natural justice and the rule of compliance thereof have been evolved to emerge as integral and fundamental part of process of decision making. These inherently embodied principles in the statutory or judicial sphere pervade to be applied where the decision is to ultimately affect rights, interest and obligations of any party, and when the decision may lead to any kind of civil consequences. In such cases and circumstances, whether this exercise is administrative, quasi-judicial, judicial or even has a trait of legislative exercise, a decision affecting a party has to precede right to hearing such party. All statutory exercises have to be reasonable leading to outcome fair and objective in law. This may be possible only if it has an intake of natural justice.

5.7.1 In **Swadeshi Cotton Mills vs. Union of India [(1981) 1 SCC 664]**, the Supreme Court observed that, the principles of natural justice are now considered so

fundamental as to be 'implicit in the concept of ordered liberty' and, therefore, implicit in every decision making statutory function. It was observed that, the rule of fair play must not be jettisoned except in very exceptional circumstances where compulsive necessity so demands. The court must make every effort to salvage this cardinal rule to the maximum extent possible, with situational modifications. But, the core of it must, however, remain, namely, that the person affected must have reasonable opportunity of being heard and the hearing must be a genuine hearing and not an empty public relation exercise.

5.8 While applying any law or in operation of law or statutory provision, when civil consequences entail on a party or the final decision that comes out to operate adverse or it concerns a stakeholder or where stakeholding party has interest in it, right to be heard become implicit to lend the process and the decision a reasonability and legal legitimacy. In that way, natural justice and principles conceptualizing natural justice have brooding omnipresence. Non-compliance of this facet of obligation of law would render the exercise, the process and the resultant decision to be unreasonable and arbitrary in that sense. A proposition may not be incorrect if it is observed that

even in respect of statutory exercise leading to legislative piece or product, the right to hearing to the interested or affected person or party should be availed, and for that matter observance the principles of natural justice may not be always alien, in the statutory exercise while preceded.

5.8.1 Therefore, even if the Notification under Section 5(1) of the Minimum Wages Act, 1948 is perceived to be a subordinate legislative piece, there is no gainsaying that it preceded the statutory process. A flaw in the nature of unreasonableness on any count, in such process, has to be remedied. The statutory exercise has to be informed by tenets of fairness, reasonableness and for that purpose compliance of principles of natural justice by giving the party interested a hearing.

5.9 The appellant-employers were admittedly before the Advisory Committee. They raised their suggestions. When the Notification was challenged in the writ petition, the employees Unions-the petitioners did not make the employers party. As stated above, they are the interested category of persons to be affected. When they were before the Advisory Board in the proceedings before the Board, there are all good reasons that they ought to have been arraigned as party in the writ proceedings challenging the Notification. In the facts and

circumstances of the case and perceiving the controversy and issues involved, it has to be held that the appellant-employers are required to be treated at least proper parties and that they ought to have been heard.

6. As a result of the foregoing reasons and discussions, following order is passed,

- (i) The proceedings of writ petition are remitted back to the learned Single Judge for his decision afresh in accordance with law.
- (ii) While undertaking the exercise of deciding afresh, the appellants herein shall be permitted to put forward their case by filing reply.
- (iii) The appellants shall be given opportunity of hearing before final decision is rendered in the petition.
- (iv) The aforesaid exercise shall be completed by the learned Single Judge expeditiously and preferably within ten weeks, looking to the nature of the issue involved and its consequences.

- (v) The parties shall cooperate in early disposal of the petition.
- (vi) This Court has not gone into merits nor expressed anything on merits of the case of the either side which is to be reconsidered by learned Single Judge. Any observation in this order shall not be construed as of expression of opinion on merits.
- (vii) In order to enable learned Single Judge to undertake the aforesaid exercise of deciding the petition afresh, the judgment and order dated 26th September 2023 in writ petition No.3632 of 2023 is set aside.

7. All the appeals are partly allowed in the aforesaid terms and stand disposed of.

**Sd/-
(N.V. ANJARIA)
CHIEF JUSTICE**

**Sd/-
(K.V. ARAVIND)
JUDGE**