



BEFORE THE INDUSTRIAL TRIBUNAL AT MYSURU

DATED THIS THE 31ST DAY OF JULY 2026

Present:- Sri. Narashimsa B.Com., LL.B.,
Presiding Officer,

Ref.No.134/2019

First Party: President,
Karnataka Rajya Samyuktha
Vishvavidyanilayagala Swachathakarya
Naukarara Sangha ®,
(By **Sri.P.P.B.R.**, Authorized
Representative)

-Vs-

Second Party: 1. Deputy Vice Chancellor,
University of Mysuru & another
(By **Sri. J.P.**, Advocate
(By Sri.P.V.V., Advocate)

Parties to IA.III

Applicant: President,
Karnataka Rajya Samyuktha
Vishvavidyanilayagala Swachathakarya
Naukarara Sangha ®,

-Vs-

Opponent: Vice Chancellor,
Mysuru University & another

ORDERS ON I.A.III FILED BY FIRST PARTY UNDER ORDER

1 RULE 10(2) OF CPC.

On 20.01.2025, first party has filed IA.III U/O. I Rule 10(2) of CPC to implead- 1) Registrar, Chamarajanagar University, Suvarna Gangothri, Chamarajanagar-571 313., 2) Registrar, Mandya University, M.C.Road, Mandya-571401 & 3) Registrar, Hassan University, Hema Gangothri, Hassan-573226 as second party No.3 to 5.

2. Sri.Chandrashekara Meti, President of Karnataka Rajya Samyuktha Vishvavidyanilayagala Swachathakarya Naukarara Sangha ® has filed affidavit in support of I.A.III. In affidavit, it is stated that initially, dispute was raised against Mysuru University. It is stated that Chamarajanagar, Mandya & Hassan District PG Centres were part and parcel of Mysuru University. Vide Government order dated 05.11.2022, for each district, separate university has been established. Thus, Chamarajanagara, Mandya & Hassan Universities have been established. In affidavit filed in support of IA.III, it is stated that

members of second parties were part and parcel of Mysuru University, subsequent to 05.11.2022 have been split up. Thus it is necessary to array proposed second parties as additional members of second party.

3. Notice of IA.III was issued to proposed second party No.3 to 5.

4. proposed second party No.3, (Registrar of Chamarajanagara University) has filed objections to I.A.III as under:

Application is not maintainable, Reference is opposed to Sec.2(k) of I.D.Act. As per Hon'ble Apex Courts' judgment University does not fall within the definition of industry, prayer sought for cannot be granted. Proposed second party No.3/Chamarajanagara University in objections has stated that as notice U/s.90 CPC was not issued, application is not maintainable. First party union is not a recognized union, Chamarajanagara University has not employed any members of the first party union in any form, averments have been made in IA.III with a view to make illegal gain. Reference is of the year

2019. no effort has been made by first party to implead Chamarajanagara University as one of the members of second party, application is not maintainable, belated, if application is rejected, no hardship or harm will be caused to first party.

4. Proposed second party No.3/Chamarajanagara University in objections, has stated that workers have not been outsourced from first party nor through contractor or on outsource basis as per norms laid out by Government, IA is opposed to law, parties cannot be impleaded at whims and fancies of first party, hence prayed for dismissing IA.III.

5. Proposed second party No.4/Mandya University has filed objections to I.A.III on 30.08.2025, Registrar, Mandya University has denied the averments made in application and affidavit accompanying I.A.III. It is stated that Mandya University has not directly recruited or taken any workers to work at Mandya University and M.Vishweshwaraiah PG Centre, Thubinakere. Proposed second party No.4/Mandya University contends that it is not a necessary party to this Reference. Provisions of Sec. 80 of CPC have not been followed. False narration has been made

in the application and affidavit. Proposed second party No.4/Mandya University has prayed for rejecting I.A.III.

6. Proposed second party No.5/Registrar, Hassan University has not filed objections and hence, their objection is taken as 'Nil.'

7. Heard advocate for first party, advocate for proposed second party No.3/Chamarajanagara University, advocate for proposed second party No.4/Registrar (Mandya University), advocate for first party reiterated the averments made in I.A.III and affidavit filed in support of IA.III.

8. Learned advocate for first party filed memo on 30.10.2025 along with copy of Government Order dated 05.11.2022, on 02.02.2026, filed memo of undertaking, list of workers working in Mysuru University.

9. The point that arise for my consideration is:-

***“Whether IA No.III filed by first party
U/O.1 Rule 10(2) of CPC to implead second
party No.3 to 5 deserves be allowed?”***

10. My answer to the above Point is *Partly in the **Affirmative*** for the following:-

REASONS

11. In order of Reference dated 11.09.2019, management is referred to as Mysuru University. This Reference has been registered on 04.10.2019. Mysuru University engaged services of advocate. Mysuru University has filed counter statement on 29.10.2024. in the counter statement, it is nowhere stated that Chamarajanagar University, Mandya University and Hassan University have been formed/established. Specific contention of first party is that 210 workmen concerned with this dispute were working for Mysuru University, but their workplace was Mysuru, Chamarajanagar, Mandya and Hassan.

12. Perusal of records reveal that during pendency of this Reference, vide Government Order dated 05.11.2022, Mysuru University has been split up, Hassan, Chamarajnagar and Mandya Universities have been started/established. Specific contention of first party is that 210 workmen concerned with this dispute were working for Mysuru University, but their workplace

was Mysuru, Chamarajanagara, Mandya & Hassan. Hence prayed for allowing application.

13. Learned advocate for first party submitted that Chamarajanagar, Mandya and Hassan universities are offshoots of University of Mysuru, thus, they should be treated as part and parcel of Mysuru University. Now due to geographical divisions and establishments of Chamarajanagara, Mandya and Hassan universities, workers working in Chamarajanagar, Mandya and Hassan District as Safai Karmacharis, prior to 05/11/2022 are continuing to work at respective places, thus application for impleading should be allowed.

14. It is necessary to Refer Section 18 of I.D.Act. Section 18(3) of I.D. Act is as under:

“ A settlement arrived at in the course of conciliation proceedings under this Act [or an arbitration award in a case where a notification has been issued under sub-section (3-A) of section 10-A] *[Inserted by Act 36 of 1964, Section 9 (w.e.f. 19.12.1964).]* or [an award of a Labour Court, Tribunal or National Tribunal] *[Substituted by Act*

48 of 1950 Section 34 and Sch., for " an award which is declared by the appropriate Government to be binding under sub-section (2) of section 15"s.] which has become enforceable shall be binding on-

- (a) all parties to the industrial dispute;
- (b) all other parties summoned to appear in the proceedings as parties to the dispute, unless the Board, [arbitrator,] [*Inserted by Act 36 of 1964, Section 9 (w.e.f. 19.12.1964).*] [Labour Court, Tribunal or National Tribunal] [*Substituted by Act 36 of 1956, Section 13, for " or Tribunal" (w.e.f. 10.3.1957).*], as the case may be, records the opinion that they were so summoned without proper cause;
- (c) where a party referred to in clause (a) or clause (b) is an employer, his heirs, successors or assigns in respect of the establishment to which the dispute relates;
- (d) where a party referred to in clause (a) or clause (b) is composed of workmen, all persons who were employed in the establishment or part of the establishment, as the case may be, to which the dispute relates on the date of the dispute and all

persons who subsequently become employed in that establishment or part".

14. When this Reference was registered in 2019, second party No.1 was Vice Chancellor of Mysuru University and second party No.2 was Registrar, Mysuru University. As per Government Order dated 05.11.2022, Mysuru University has been split up, Chamarajanagara University, Mandya University & Hassan University have been established. It is necessary to note that proposed second party No.3 & 4, Registrar, Chamarajanagar University and Registrar, Mandya University have not denied that these two universities have been established as per Government order dated 05.11.2022. Proposed second party No.3 & 4 have contended that notice U/s.80 of CPC has not been issued, this contention is unsustainable for the simple reason that they are not sought to be impleaded in a civil suit, but in a Reference made to Industrial Tribunal, Mysuru U/s.10(1)(d) of I.D.Act. Proposed second party No.3 & 4 have taken a contention that they have not outsourced any employee from Mysuru University.

15. The contention raised by first party before the Conciliation Officer is to the effect that its members (totally 210 in number) are working in different units in Chamarajanagara, Mandya and Hassan. There is no dispute about the fact that Chamarajanagara, Mandya and Hassan universities were part and parcel of Mysuru University prior to 05.11.2022. Chamarajanagara, Mandya and Hassan Universities fall within the definition of heirs, successors or assignees in respect of employer/establishment. Whether members of first party are workmen and whether this Reference is maintainable is a factor to be decided at the time of passing Award. At this stage, considering the facts and circumstances, it is necessary that IA.III be allowed. Hence, I answer point for consideration in the ***Affirmative*** and proceed to pass the following:-

ORDER

**IA.No.III filed by applicant U/O.I Rule
10(2) of CPC is hereby allowed.**

**First party is permitted to implead
a) Registrar, Chamarajanagar University,
Suvarna Gangothri, Chamarajanagar-**

571313., b) Registrar, Mandya University, M.C.Road, Mandya-571401 & c) Registrar, Hassan University, Hema Gangothri, Hassan-573226 as second party No.3 to 5 in claim statement.

(Dictated to the Stenographer, transcribed by her, then corrected, signed and pronounced by me in the open court on this the 31st day of July, 2026.)

sd/-
(NARASHIMSA M.V.)
Presiding Officer,
Industrial Tribunal, Mysuru