

**IN THE COURT OF PRINCIPAL DISTRICT
AND SESSIONS JUDGE,(LABOUR COURT) UDUPI.**

Ref.10.1.C.of I.D Act 11/2021

Between,

1st Party Suresh Poojary

And

II Party The Managing Partner,
M/s. Raj Fish Meal and
Oil Company Ltd., Malpe.

ISSUES

1. Whether the domestic enquiry is properly conducted and valid?
2. Whether termination of the 1st Party from the service is not valid?
3. Whether the 1st party is entitle for reinstatement with back wages and continuity of service as claimed?
4. What order ?

Date: 15-07-2021

Prl. Dist. & Sessions Judge,
Udupi.

**BEFORE THE EDUCATIONAL APPELLATE TRIBUNAL/
PRINCIPAL DISTRICT JUDGE, UDUPI.**

E.A.T. No. 2/2012

Between :

Appellant ... Dr. K.S Madhava Rao

and

Respondents ... The Academy of General Education, Manipal and another

ISSUES

1. Whether the Management of the 1st Respondent proves that it has conducted a legally valid Domestic Enquiry against the Appellant as required under law before the application was dismissed/Terminated from service?
2. Whether the Management is justified in withdrawing the permission granted by it to the Appellant to go abroad without hearing the Appellant before the withdrawal of the said permission?
3. Whether the appellant is entitled for grant of VRS benefits w.e.f 24-06-2006 or is justified in demanding reinstatement with full back salary from the date of dismissal to the date of retirement with all other consequential benefits?

4. If the Answer to issue No.1 is in the affirmative whether the order of termination issued to the Appellant is justified, valid and tenable in law?
5. Whether the appeal is bad for non-joinder of necessary and proper party?
6. To what relief the Appellant is entitled?

Date: 18-03-2021

Prl. District Judge/Chairman
Educational Appellate Tribunal
Udupi.

(Note: If expected by parties Addl. Issues will be framed immediately without adjourning for that purpose)

**IN THE COURT OF PRINCIPAL DISTRICT
AND SESSIONS JUDGE, UDUPI.**

Ref.10.1.C.of ID Act 1/2018

Between :

1st party
Division

... K.S.R.T.C., Mangalore

and

2nd party

... Somappa R.T.

**ISSUES FRAMED BY THE REFERRING
AUTHORITY(GOVERNMENT)**

1. ಆಡಳಿತ ವರ್ಗದವರಾದ ಡಿವಿಜನ್ ಕಂಟ್ರೋಲ್, ಕರ್ನಾಟಕ ರಾಜ್ಯ ರಸ್ತೆ ಸಾರಿಗೆ ಸಂಸ್ಥೆ ಮಂಗಳೂರು ಇವರು ತಮ್ಮ ಕಾರ್ಮಿಕರಾದ ಶ್ರೀ ಸೋಮಪ್ಪ ಆರ್.ಟಿ, ತರಭೇತಿ ಚಾಲಕ-ಕಂ-ನಿರ್ವಾಹಕ ಬಿಲ್ಲೆ ಸಂಖ್ಯೆ: 7478/3689 ದ ವಯಸ್ಸು 37 ವರ್ಷ, ಕುಂದಾಪುರ ಘಟಕ, ವಾಸ: ನಿಟ್ಟೂರು ಅಂಚೆ, ಹರಪ್ಪನಹಳ್ಳಿ ತಾಲೂಕು ದಾವಣಗೆರೆ ಜಿಲ್ಲೆ ಇವರಿಗೆ ತಮ್ಮ ಆದೇಶ ಸಂಖ್ಯೆ: ಕರಾಸಾ/ಮಂವಿ/ನಿಶಾ ಗೃಹಾ 346/11/4307/2012-13, ದಿನಾಂಕ 29-12-2012 ರನ್ವಯ ಸದರಿಯವರ ದಿನಾಂಕ 30-05-2011 ರಿಂದ 19-01-

2012 ರವರೆಗಿನ ಅನಧಿಕೃತ ಗೈರುಹಾಜರಿ ಅವಧಿಯನ್ನು ಗೈರುಹಾಜರಿ ಎಂದು ಪರಿಗಣಿಸಿ, ತರಭೇತಿ ಚಾಲಕ-ಕಂ-ನಿರ್ವಾಹಕ ಹುದ್ದೆಯ ಆಯ್ಕೆ ಪಟ್ಟಿಯಿಂದ ತೆಗೆದು ಹಾಕಿ ಆದೇಶ ಮಾಡಿ ಶಿಕ್ಷೆ ವಿಧಿಸಿರುವುದು ನ್ಯಾಯಸಮ್ಮತವೇ?

2. ಹಾಗಲ್ಲದಿದ್ದಲ್ಲಿ ಸದರಿ ಕಾರ್ಮಿಕರು ಯಾವ ಪರಿಹಾರಕ್ಕೆ ಅರ್ಹರು?

ADDL. ISSUES

1. Whether the 2nd party (respondent) proves that the Domestic Enquiry held against the 1 party is just and proper ?

2. Whether the dispute is belated and is barred by Limitation?

3. Whether the applicant is a workman as defined under the I.D Act. ?

Date: 20-01-2021

Prl. Dist. & Sessions Judge,
Udupi.

**IN THE COURT OF PRINCIPAL DISTRICT
AND SESSIONS JUDGE/COMMERCIAL COURT, UDUPI.**

Com.O.S. 2/2020

Between :

Plaintiff..... M/s. Manipal Energy and
Infratech Ltd., Rep. by his
Authorized Signatory Abhishek G.M

And

Defendants..... M/s. Sri Krishna Shelters Pvt,
Rep.by its Managing Director
Raghavendra K.A & another

ISSUES

7. Whether the Plaintiff proves that D.1 is liable to pay a sum of Rs. 16,14,11,652/- with interest at the rate of 18% per annum for the works completed in the project?
8. Whether D.1 proves that plaintiff went outside the scope of authority and withdrew excess amount (more than Rs. 16 cores) without furnishing the account for the work?
9. Whether D.1 proves that plaintiff has received full amount for the work done from D.2?
10. Whether D.1 proves that suit is vexatious and not maintainable?
11. What order or Decree?

(Note: If expected by parties Addl. Issues will be framed immediately without adjourning for that purpose)

Date: 17-12-2020

Prl. Dist. & Sessions Judge,
Udupi.

**IN THE COURT OF PRINCIPAL DISTRICT
AND SESSIONS JUDGE, UDUPI.**

App1.33(3)(2)/1/2020

Between :

Petitioner

K.Rathnakar Shenoy

and

Respondent

... M/s. Raj Fish Meal and
Oil Company Ltd., Malpe.

ISSUES

1. Whether the petitioner is entitle to receive Rs. 2,22,320/- with interest at the rate of 10% p.a. from 20-10-2017 towards over time work without leave on Sundays as claimed in the petition?
2. Whether petition is maintainable, inspite of the pendency of Reference No. 53/2020 before the Industrial Tribunal, Mysuru?
3. Whether respondent proves the miss-conduct and other points alleged in the counter?
4. What order or Decree?

Date: 03-07-2021

Prl. Dist. & Sessions Judge,
Udupi.

Ref.10.1.C.of ID Act 3/2018

Udupi and another

Prl. Dist. & Sessions Judge,
Udupi.

Com.O.S. 1/2020

Plaintiff

and

... Gautam Ghosh

12. Whether the plaintiff completed the construction within the time specified in the agreement and in terms of the agreement ?
13. Whether construction work continued till April 2017 for the reason noted in para 9 of the plaint?
14. Whether the defendant is liable to pay Rs.1,07,36,208/- with current and future interest at 18% p.a., to the plaintiff?
15. Whether building constructed is suffering with defects noted in para 11 of the W.S?
16. What order or Decree?

Date: 06-10-2020

Prl. Dist. & Sessions Judge,
Udupi.

**IN THE COURT OF PRINCIPAL DISTRICT AND SESSIONS
JUDGE,
UDUPI.**

Com.O.S. 9/2020

Between :		
Plaintiffs	...	Lakshmee Cashews
		Rep.by its partners Ratnakar
Nayak,		
		Sharada Nayak, Mahesh
Rathnakar Nayak,		Rashimitha Nayak
	and	
Defendants	...	Vasanth Pokle Cashew
Industries,		
		Rep. By its partners Ramakant
V		
		Pokle and Raman Pokle

ISSUES

- 1) Whether the plaintiff proves that the defendant No.1 offered/agreed to sell 300 metric ton dried Raw Cashew nuts having an yield of 47 plus lbs and nut count of 185 per k.g. however supplied on 51.227 metric ton cashew nut having an yield of 43.18 lbs therefore suffered loss worth of Rs. 78,70,000/- and Rs. 6,83,664?
- 2) Whether plaintiff is entitle/eligible to recover Rs. 38,563/- alleged excess amount?
- 3) Whether plaintiff is entitle/eligible to recover Rs. 43,200/- towards weight shortage?
- 4) Whether plaintiff is entitle to recover Rs.30,37,777/- towards interest at 12% p.a. from 27-07-2017 upto 02-07-2020?

5) Whether defendants prove the residence transaction and alleged breach of on the part of the plaintiff?

6) Whether plaintiffs are entitle for the relief claimed in the suit?

7) What order or Decree?

(Note: If expected by parties Addl. Issues will be framed immediately without adjourning for that purpose)

Date: 10-11-2020

Prl. Dist. & Sessions Judge,
Udupi.

**IN THE COURT OF PRINCIPAL DISTRICT
AND SESSIONS JUDGE, UDUPI.**

Present: Sri. C.M. Joshi
Prl. District and Sessions Judge,
Udupi

Dated: this the 5th day of February 2020

Ref.10.1.C.of ID Act 5/2018

Between :

K.E. Jagadish ... Applicant

and

P. Gopala Krishna Nayak
Managing Director,
M/s.Hanuman Transport Co.(P) Ltd.,
Udupi ... Respondent

ISSUES

17. Whether the respondent proves that the termination and dismissal of the applicant is legal and proper ?
18. Whether the applicant is entitled for reinstatement and if so on what conditions and what order ?
19. What order ?

Prl. Dist. & Sessions Judge,
Udupi.

**IN THE COURT OF PRINCIPAL DISTRICT
AND SESSIONS JUDGE, UDUPI.**

Present: Sri. C.M. Joshi
Prl. District and Sessions Judge,
Udupi

Dated: this the 2nd day of December 2019

Ref.10.1.C.of ID Act 20/2019

Between :

Ravichandra K.S ... Applicant

and

Managing Director, Hanuman
Transport Co.(P) Ltd., Reg.Office
Udupi ... Respondent

ISSUES

20. Whether the respondent proves that the termination and dismissal of the applicant is legal and proper ?
21. Whether the applicant is entitled for reinstatement and if so on what conditions and what order ?
22. What order ?

Prl. Dist. & Sessions Judge,
Udupi.

**IN THE COURT OF PRINCIPAL DISTRICT
AND SESSIONS JUDGE, UDUPI.**

Present: Sri. C.M. Joshi
Prl. District and Sessions Judge,
Udupi

Dated: this the 25th day of November 2019.

Ref.10.1.C.of ID Act 1/2018

Between :

Somappa	...	1 Party
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and

The Divisional Controller,
K.S.R.T.C., Mangaluru Division ... II Party

ISSUES

23. Whether the II party proves that the termination is lawful and D.E conducted by respondent is proper?
24. Whether the petitioner is entitled for reinstatement and if so on what conditions and what order ?
25. What order ?

Pr1. Dist. & Sessions Judge,
Udupi.

**IN THE COURT OF PRINCIPAL DISTRICT
AND SESSIONS JUDGE, UDUPI.**

Present: Sri. C.M. Joshi
Prl. District and Sessions Judge,
Udupi

Dated: this the 19th day of November 2019.

Ref.10.1.C.of ID Act 10/2019

Between :

K. Sumathi ... Petitioner

and

Managing Director, Hanuman
Transport Co.(P) Ltd., Reg.Office
Udupi ... Defendant

ISSUES

26. Whether the respondent proves that the termination is lawful and D.E conducted by respondent is proper?
27. Whether the petitioner is entitled for reinstatement and if so on what conditions and what order ?
28. What order ?

Prl. Dist. & Sessions Judge,
Udupi.

**IN THE COURT OF PRINCIPAL DISTRICT
AND SESSIONS JUDGE, UDUPI.**

Present: Sri.Venkatesh Naik T.
Prl.District and Sessions Judge,
Udupi.

Dated: this the 22th day of September 2018.

OS 1/2014

Between :

Mrs. Shalini Pai ... Plaintiff

and

M/s. Diana Cold Drinks & another
... Defendants

ADDITIONAL ISSUES

29. Whether plaintiff proves that use of Trade Mark Diana by defendants amounts to passing of their Trademark Diana?
30. Whether plaintiff has inherited Trademark Diana and goodwill of Diana Cold Drinks from her husband Mohandas Pai?

Prl. Dist. & Sessions Judge,
Udupi.

**IN THE COURT OF PRINCIPAL DISTRICT
AND SESSIONS JUDGE, UDUPI.**

Present: Sri. Shivashankar B Amarannavar.
Prl.District and Sessions Judge,
Udupi.

Dated: this the 9th day of August 2016.

AS 14/2015

Between :

National Highway Authority ... Plaintiff
of India

and

The competent Authority
and Asst. Commissioner,
Kundapura & others ... Defendants

ISSUES

31. Whether the plaintiff has made out any grounds
to set aside the arbitration award dated 05-06-2015
passed by defendant No.3?
32. What order?

Prl. Dist. & Sessions Judge,
Udupi.

**IN THE COURT OF PRINCIPAL DISTRICT
AND SESSIONS JUDGE, UDUPI.**

Present: Sri. Shivashankar B Amarannavar.
Prl.District and Sessions Judge,
Udupi.

Dated: this the 1st day of February 2016.

AS 3/2012

Between :

Jayalaxmi and another ... Plaintiffs

and

M/s Manipal Finance Corporation
Ltd., Manipal & others ... Defendants

ISSUES

33. Whether the suit is filed in time?

34. Whether the plaintiff has made out any grounds
to set aside the arbitration award dated 30-03-2000
passed in A.P.No.3/2000?

35. What order?

Note: Issue No.1 is ordered to be heard as preliminary
issue.

Prl. Dist. & Sessions Judge,
Udupi.

**IN THE COURT OF PRINCIPAL DISTRICT
AND SESSIONS JUDGE, UDUPI.**

Present: Sri. Shivashankar B Amarannavar.
Prl.District and Sessions Judge,
Udupi.

Dated: this the 26th day of August 2015.

AS 1/2011

Between :

Saroj Kumari & another ... Plaintiffs

and

M/s ICDS Ltd., Manipal & others ... Defendants

ISSUES

1. Whether the plaintiffs made out any grounds to set aside the award dated 07-07-2001 passed by the arbitrator?
2. Whether the plaintiffs made out any case for condonation of delay in filing the petition?
3. What order?

Prl. Dist. & Sessions Judge,
Udupi.