



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

WRIT PETITION NO. 4138 OF 2026 (L-PF)

BETWEEN:

1. NAND KISHORE
S/O GANGA RAM
AGED ABOUT 57 YEARS
SKILLED FARM WORKER (T/S)
P-2, BASIC SEED FARM, NSSO
CENTRAL SILK BOARD, SHEESHAMBARA POST
DEHRADUN, UTTARAKHAND -248 007
AND R/AT NO.24, MANDU WALA
KASWALI, DEHRADUN
UTTARAKHAND-248 007

...PETITIONER

(BY SRI M.NARAYANA BHAT, ADVOCATE)

AND:

1. THE CENTRAL SILK BOARD
REP. BY ITS MEMBER SECRETARY
CSB COMPLEX, BTM LAYOUT
MADIWALA, BENGALURU -560 068
2. THE DIRECTOR
CSB -N S S O
CENTRAL SILK BOARD
MADIWALA, BENGALURU -560 068
3. THE SCIENTIST -D AND IN-CHARGE
CENTRAL SILK BOARD
P-2, BASIC SEED FARM, NSSO
SHEESHAMBARA POST
SHERPUR, UTTARAKHAND -248197

...RESPONDENTS





(BY SRI NARASIMHASWAMY, ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE CLAUSE A-11 OF THE MEMORANDUM BEARING No. CSB/NSSO/ZSSO/ESTAB.SFW(TS)/2015-16/2415 DATED 30.03.2016 ISSUED BY THE 3RD RESPONDENT MARKED AT ANNEXURE-A INsofar AS AGE OF RETIREMENT IS ON ATTAINING AGE OF 58 YEARS AS THE SAME IS OPPOSED TO THE AWARD DATED 01.04.2013 IN C.R NO.151/2007 PASSED BY THE CGIT MARKED AT ANNEXURE -B AND ALSO SECTION 18(3)(D) OF THE INDUSTRIAL DISPUTES ACT, 1947 AND ARTICLE 14 AND 21 OF THE CONSTITUTION.

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

This petition is filed seeking writ of mandamus to direct the respondents to consider the petitioner's representation dated 08.01.2026 to continue in service under the respondents till the petitioner completes the age of 60 years, which according to the petitioner is the age of superannuation.

2. The petitioner had filed the petition in the light of the judgment rendered by the Division Bench of this Court in ***Central Silk Board vs Employees Union of Central Silk***



Board & Another¹ wherein, in terms of the order dated 04.09.2024, this Court has dismissed the petition filed by first respondent Central Silk Board and confirmed the award passed by the Central Government Industrial Tribunal cum Labour Court.

3. In terms of the award dated 01.04.2013, the Tribunal has held that age of superannuation of the Timescale Farm Workers of the respondent establishment would be 60 years and not 55 years as contended by the respondent.

4. Learned counsel for the petitioner would submit that the order passed by the Division Bench of this Court confirming the award passed by the Tribunal is not questioned by the respondents and it has attained finality.

5. Thus, the learned counsel would submit that the petitioner cannot be superannuated at the age of 58, and the petitioner is entitled to continue as the employee of respondent No.1 till the petitioner completes 60 years.

¹ W.P. No.18693/2014



6. Learned counsel for respondents would submit that though the Board of first respondent has passed a resolution to implement the order, with effect from the date of the order passed in **Central Silk Board** (*supra*), the Board is yet to receive the approval from the Union of India for the decision taken by the Board. It is further submitted that since respondents are awaiting the decision of Union of India, from the perspective of the respondents the award passed by the Central Government Industrial Tribunal has not yet attained finality.

7. This Court has considered the contentions raised at the bar and perused the records.

8. It is not in dispute that the award passed by the Tribunal enhancing the age of retirement to 60 years from 55 years is confirmed by the Division Bench of this Court in the case of **Central Silk Board** (*supra*). It is further not in dispute that the petitioner is working as Timescale Farm Worker with respondent No.1. The petitioner has completed 58 years after the order passed by the Division Bench of this Court confirming the award passed by the Tribunal.



9. This being the position, the award passed by the Tribunal which is confirmed by the Division Bench of this Court comes to the aid of the petitioner and the petitioner is entitled to the following relief:-

- (i) It is declared that the petitioner's age of superannuation is 60 years.
- (ii) The respondents shall not superannuate the petitioner treating the age of superannuation as 58 years.
- (iii) Thus, the petitioner is entitled to continue in employment as Timescale Farm Worker under first respondent till the age of superannuation at 60 subject to all the Rules and Regulations applicable to the employment of the petitioner.

10. The Writ Petition is accordingly ***disposed of*** with the above observations and findings.

**Sd/-
(ANANT RAMANATH HEGDE)
JUDGE**

MR
List No.: 2 Sl No.: 30