



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE S RACHAIAH

WRIT PETITION NO. 12146 OF 2020 (L-RES)

BETWEEN:

M.V. MANJUNATHA
S/O LATE VENKATARAMAIAH,
AGED ABOUT 61 YEARS,
C/O THE GENERAL SECRETARY,
CORPORATION BANK EMPLOYEES GUILD,
ANANDA PLAZA, ANANDARAO CIRCLE,
BANGALORE-560 009.

...PETITIONER

(BY SRI. SRINIVASA K., ADVOCATE)

AND:

1. THE CHIEF MANAGER
CORPORATION BANK,
HEAD OFFICE,
MANGALADEVI TEMPLE ROAD,
PB NO.88, MANGALORE-575 001.
2. THE CHIEF GENERAL MANAGER (A&HR)
UNION BANK OF INDIA,
PERSONNEL ADMINISTRATION DEPARTMENT,
UNION BANK BHAVAN ,NO.239,
VIDHAN BHAVAN MARG,
NARIMAN POINT, MUMBABI-400 021.

...RESPONDENTS

(BY SRI. T.P. MUTHANNA, ADVOCATE FOR R1 & R2)





THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO: (I) CALL FOR THE RECORDS FROM THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, BANGALORE IN CR.NO.60/2007, DECIDED ON 30.09.2019; (II) QUASH THE IMPUGNED AWARD PASSED BY THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, BANGALORE IN CR.NO.60/2007, DTD 30.09.2019 VIDE ANNEXURE-G AND CONSEQUENTLY ALLOW THE ENTIRE CLAIM OF THE PETITIONER.

THIS PETITION, COMING ON FOR FURTHER ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE S RACHAIAH

ORAL ORDER

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present petition has been filed impugning the award dated 30.09.2019 passed by the Central Government Industrial Tribunal cum Labour Court, Bengaluru in Crime No. 60/2007.

2. The Central Government vide order No.L-12011/120/2006-IR(B-II) dated 01.05.2007, in exercise of its powers conferred by clause (d) of Sub-Section (1) and Sub-Section 10 of the Industrial Disputes Act, 1947



(hereinafter referred to as 'the ID Act') referred the following industrial disputes for adjudication:

"Whether the action of the management of Corporation Bank in refusing to consider the restoration of reduced basic pay of Shri M.V. Manjunatha consequent to the decision on O.S.No.353/1999 is justified or not? If not, to what relief the workman is entitled?"

3. At the relevant time, the petitioner was working as a clerk in the respondent-Bank. He was placed under suspension vide order dated 01.01.1994. The domestic enquiry was conducted against him for very serious charges of tampering of ledger entry. The enquiry officer found the charge proved against the petitioner. The disciplinary authority after issuing him notice on the proposed punishment of dismissal from service passed the order on 08.09.1994 dismissing the petitioner from service.

4. The appeal filed against the order passed by the disciplinary authority also resulted in dismissal.



5. During the conciliation proceedings, settlement was arrived between the parties on 14.12.1995. The petitioner was taken back in service as a clerk with effect from 13.01.1996 without any back wages.

6. It appears that after the settlement was arrived and the parties accepted the settlement in pursuant to which the petitioner was taken back in service without backwages, he filed a Civil Suit for declaration that the alleged tampering of the ledger entry was not made by him and the suit was decreed in his favour.

7. On the basis of the said decree passed in the Civil suit, the petitioner raised an industrial dispute as referred to above. Once the petitioner accepted the settlement, there was no question of him challenging the allegation of tampering of the evidence which were found proved while domestic enquiry by filing a civil suit. The Civil Court would not have the jurisdiction to decide the dispute between an employee and the management in



respect of the domestic enquiry. Once in the domestic enquiry, the charge was found to be proved for gross misconduct, which resulted in dismissal of the petitioner from service, there was no occasion for him to file a civil suit, particularly after the settlement was arrived at between the parties during the course of conciliation proceedings.

8. We, therefore of the view that the Tribunal has correctly rejected the claim of the petitioner. We find no merit in this writ petition and therefore, the same is ***dismissed***, however, without costs.

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(S RACHAIAH)
JUDGE**