



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

WRIT PETITION NO. 18856 OF 2013 (L-KSRTC)

BETWEEN:

THE CHIEF TRAFFIC MANAGER
B M T C., CENTRAL OFFICES
K H ROAD, SHANTHI NAGAR
BANGALORE - 560 027.
HEREIN REPRESENTED BY
THE CHIEF LAW OFFICER
B M T C., BANGALORE.

...PETITIONER

(BY SRI B.L.SANJEEV, ADVOCATE)

AND:

1. SRI N.MARI,
AGED ABOUT 51 YEARS,
DEAD BY HIS LRs
- 1(a) SMT. RATHNAMMA,
W/O LATE MARI,
AGED 52 YEARS,
DIED. HENCE DELETED V/O
DATED 21.10.2016
- 1(b) SAMUEL RAJAN,
S/O LATE MARI,
AGED ABOUT 23 YEARS,
#100, 5TH CROSS,
PILLA REDDY NAGAR,
BANGALORE - 560 043.

...RESPONDENTS

[BY SRI S.B.MUKKANNAPPA, AGA FOR R1 (a & b)]





THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA, PRAYING TO QUASH THE AWARD DATED 16.10.2012, PASSED BY THE III ADDL. LABOUR COURT, BANGALORE, IN ID.NO.101/05, PRODUCED AT ANNEXURE-D AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

This petition is filed assailing the award dated 16.10.2012 in ID No.101/2005 on the file of III Additional Labour Court at Bengaluru. In terms of the said award, the order dated 31.05.2005 passed by the petitioner-Corporation dismissing the workman-respondent of this petition is set-aside and the petitioner-Corporation is directed to reinstate the workman into service to the post held by him as on 31.05.2005.

2. The petitioner-Corporation is before this Court on the premise that the respondent-workman has secured employment by producing a fake transfer certificate. The petitioner-Corporation contends that the School from which the certificate is issued was not in existence. To substantiate



contention, the Corporation has produced Ex.M1, the letter issued by the Headmaster.

3. Since, the learned counsel for the respondent-workman has seriously disputed the authenticity of the said letter and the jurisdiction of the Headmaster to issue such letter, the Court had directed the learned Government Advocate to furnish the report as to whether the said School from which the respondent-workman has furnished the Transfer Certificate was in existence.

4. The learned Government Advocate has placed the report of the jurisdictional Block Education Officer. The same is taken on record.

5. Learned counsel for the respondent-workman would submit that the document is placed for the first time before this Court and the respondent should have the fair opportunity to contest the said report and the report cannot be accepted unless it is established that the report is filed after proper verification.



6. The report is submitted before this Court for the first time. Without entering into the merits of the matter, and without effecting anything on the impugned award, to enable the Labour Court to pass Award based on the report, if it is found to be acceptable after affording opportunity to the respondents of this petition to contest the report, the award is set aside.

7. The petitioner-Corporation is permitted to produce the report and to lead evidence to substantiate the report submitted before this Court today.

8. The legal representatives of the deceased respondent-workmen are permitted to contest the report by cross-examining the author of the report if the respondents desire to cross-examine the author of the report.

9. Hence the following:

ORDER

- (i) Writ Petition is ***allowed in part***;
- (ii) Impugned award dated 16.10.2012 in ID No.101/2005 passed by the III Additional Labour Court, Bengaluru, is set aside;



- (iii) The matter is remitted to the Labour Court for fresh consideration, in the backdrop of the subsequent developments already referred to above in the order;
- (iv) The parties are directed to appear before the Labour Court on **10.04.2026** without any further notice;
- (v) Both parties shall co-operate for early disposal; and
- (vi) Since the dispute is of the year 2005, the Labour Court shall endeavour to dispose of the matter within 4 months.
- (vii) It is made clear that the remand order should not be construed as having expressed anything on the merits of the matter.

Sd/-
(ANANT RAMANATH HEGDE)
JUDGE