



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MS. JUSTICE JYOTI MULIMANI

WRIT PETITION NO. 16103 OF 2022 (L-MW)

BETWEEN:

1. M/S. MARKOLINE INFRA PVT. LTD.,
SECONDARY BASE CAMP
C/O. M/S. BENGALURU ELEVATED TOLL-WAY
PRIVATE LIMITED,
OPP: MOOG CONTROL, NEAR 'D' MART,
ELECTRONIC CITY, PHASE I,
BENGALURU - 560100.
REP. BY ITS PLAZA MANAGER
MR. FAYAZUDDEEN K.G.,
AGED ABOUT 46 YEARS.
2. M/S. BENGALURU ELEVATED TOLL-WAY
PRIVATE LIMITED
OPP: MOOG CONTROL, NEAR 'D' MART,
ELECTRONIC CITY, PHASE I,
BENGALURU - 560100.
REP. BY ITS MANAGER - HR AND LIAISON
MR. RAMESH PANDIAN
AGED ABOUT 57 YEARS

...PETITIONERS

(BY SRI. SOMASHEKAR, ADVOCATE)

AND:

1. GENERAL SECRETARY
BENGALURU TOLL-WAY EMPLOYEES'
AND STAFF UNION,
CITU OFFICE, V.G.GOPAL BUILDING,
NO.20/1, LALBAGH FORT ROAD,
BENGALURU - 560010.

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THEJAS KUMAR N
Location: HIGH
COURT OF
KARNATAKA



2. THE DEPUTY CHIEF LABOUR COMMISSIONER
(CENTRAL),
SHRAM SADAN, III CROSS, III MAIN,
TUMKUR ROAD, YESHWANTHPUR,
BENGALURU - 560022.
3. THE DEPUTY DIRECTOR GENERAL AUTHORITY
UNDER MINIMUM WAGES ACT
MINISTRY OF LABOUR AND EMPLOYMENT
GOVERNMENT OF INDIA
SHRAM SHAKTHI BHAVAN, RAFI MARG
NEW DELHI - 110 001.
4. UNION OF INDIA,
RESPRESENTED BY SECRETARY
TO THE GOVERNMENT
MINISTRY OF LABOUR & EMPLOYMENT
SHRAM SHAKTHI BHAVAN, RAFI MARG,
NEW DELHI-110001.

...RESPONDENTS

(BY SRI. NAIK V.S., ADVOCATE FOR R1;
SRI. RAJASHEKHARA K., ADVOCATE FOR R2 AND R3;
SRI. M.M.KUMAR, CGC FOR R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA.

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

ORAL ORDER

Sri.Somashekar., counsel for the petitioners,
Sri.V.S.Naik., counsel for respondent No.1,
Sri.Rajashekhara.K., counsel for respondents 2 and 3 and



Sri.M.N.Kumar., CGC counsel for respondent No.4 have appeared in person.

2. The captioned Writ Petition is filed seeking following reliefs:

a) quash the words "include all places within the distance of 15 kms from the periphery" in the explanation (a) in Annexure 'C' Notification bearing No.S.O.188(E) dated:19.01.2017 at Annexure-C of the respondent No.3 which reads as follows:

Explanation (a): "Area 'A' and Area 'B' respectively comprises of all the places as specified in the annexure to this notification and include all places within the distance of 15 kms from the periphery of municipal corporation or municipality or cantonment board or notified area committee in a particular place or area 'C' shall comprise of all other places not mentioned



in the annexure to the minimum wages act 1948
(11 of 1948) extends:"

(b) quash the order bearing
No.20(3)2017 - B1dated 11.07.2022 at
Annexure-N passed by the respondent - 2
Deputy Chief Labor Commissioner (Central)
Bengaluru.

(c) declare that Attibele small urban area
and town municipal council of Attibele does not
come under area 'A' of BBMP limits;

3. Counsel for the respective parties urged several contentions. Heard the arguments perused the Writ papers with care.

4. Suffice it to note that on 19.01.2017, a Notification was issued by the Government of India fixing minimum wages for construction and maintenance of roads and other allied activities. Areas for the purpose of payment of minimum wages are classified as Area-'A' comprising Bengaluru, Area-'B' comprising six cities of Karnataka viz., Belgaum, Gulbarga,



Hubballi-Dharwad, Mangaluru and Mysore. Areas other than 'A' and 'B' are classified as Area-'C'. The petitioners seeking a declaration that Attibele Small Urban Area and Town Municipal Council of Attibele does not come under Area-'A' of BBMP limits. This Court exercising power under Article 226 of the Constitution of India, cannot accord the prayer sought by the petitioners. The petitioners may take recourse under the law seeking appropriate relief before the appropriate Forum, if so advised.

5. Resultantly, the Writ Petition is ***dismissed***.

Because of dismissal of the Writ Petition, pending interlocutory applications if any are disposed of and interim direction if any stands discharged.

**Sd/-
(JYOTI MULIMANI)
JUDGE**

MRP
List No.: 1 Sl No.:28