



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF OCTOBER, 2025

BEFORE

THE HON'BLE MS. JUSTICE JYOTI MULIMANI

WRIT PETITION NO. 19936 OF 2024 (L-RES)

BETWEEN:

THE MANAGEMENT OF
M/S. KANORIA PLASCHEM LTD.,
REGISTERED OFFICE AND WORKS
NO.121-A, BOMMASANDRA,
INDUSTRIAL AREA,
BENGALURU - 560 099.

(COMPANY REGISTERED UNDER
THE COMPANIES ACT, 1956)

REPRESENTED BY ITS DIRECTOR
MR. SIDDHARTHA KANORIA.

...PETITIONER

(BY SRI. ANAND K.R., ADVOCATE)

AND:

1. THE LABOUR OFFICER AND
THE AUTHORITY APPOINTED
UNDER THE PAYMENT OF
SUBSISTENCE ALLOWANCE ACT
BENGALURU SUB DIVISION-6,
DEPARTMENT OF LABOUR,
GOVERNMENT OF KARNATAKA,
KARMIKA BHAVANA,
BANNERGHATTA ROAD,
BENGALURU - 560 029.
2. MR. RAMACHANDRA S.,
C/O. KARNATAKA WORKERS' UNION

Digitally signed by
THE JAS KUMAR N
Location: HIGH
COURT OF
KARNATAKA



V.G.GOPAL BUILDING
NO.20/1, LALBAGH FORT ROAD
BENGALURU - 560 004.

...RESPONDENTS

(BY SRI. K.P.YOGANNA, AGA FOR R1;
SRI. V.S.NAIK, ADVOCATE FOR R2)

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

THIS WRIT PETITION IS LISTED FOR PRELIMINARY
HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS
UNDER:

ORAL ORDER

Sri.Anand.K.R., counsel for the petitioner and
Sri.V.S.Naik., counsel for respondent No.2 have appeared
through video conferencing.

Sri.K.P.Yoganna., AGA for respondent No.1 has appeared
in person.

2. The order dated 25.07.2023 passed by the first
respondent vide Annexure-A is called into question in this Writ
Petition on several grounds as set-out in the Memorandum of
Writ Petition.

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



4. Counsel for the petitioner in presenting his arguments strenuously urged that payment of subsistence allowance beyond the date of retirement could not have been ordered by the first respondent. In my view, counsel for the petitioner is justified in raising the said contention. The law is well settled that subsistence allowance cannot be awarded beyond the date of retirement. Hence, the first respondent is not justified in ordering subsistence allowance beyond the date of retirement. The order passed by the first respondent is liable to be set-aside. Accordingly, it is set-aside. If the second respondent claims arrears, if any, as per the provisions of law, the same shall be considered in accordance with the law by the Management.

5. The Writ of Certiorari is ordered. The order dated 25.07.2023 passed by the first respondent vide Annexure-A is quashed.

6. Resultantly, the Writ Petition is ***disposed of***.

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

TKN
List No.: 2 Sl No.: 11.1