



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF FEBRUARY, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE S RACHAIAH

WRIT PETITION NO. 25067 OF 2022 (L-RES)

BETWEEN:

1. SRI. R GIRISH
S/O LATE RAMANJANAPPA
AGED ABOUT 39 YEARS
R/AT NO.48,
"SAPTHAGIRI NILAYA"
CHUMURAPPA COMPOUND
RAJA RAJESHWARINAGAR
BENGALURU – 560 098.

...PETITIONER

(BY SMT. MANJULA N KULKARNI FOR
SRI. NAIK V S, ADVOCATE)(VC)

AND:

1. THE KARUR VYSYA BANK LIMITED





HUMAN RESOURCES DEPARTMENT
CENTRAL OFFICE
ERODE ROAD
KARUR,
TAMIL NADU – 639 002.
REP BY ITS DEPUTY GENERAL MANAGER (HRD)

...RESPONDENT

(BY SRI. B C PRABHAKAR, ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO QUASH THE
IMPUGNED ORDER DATED 26.06.2019 PASSED BY THE
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, BENGALURU IN I.D. NO.03/2015 WHILE DECIDING
THE ISSUE IF VALIDITY OF DOMESTIC ENQUIRY AND ETC.,

THIS PETITION, COMING ON FOR 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)

1. The present writ petition has been filed impugning the award dated 02.07.2020 passed by the Central Government Industrial Tribunal-cum-Labour Court (for short 'Tribunal') in I.D.No.03/2015.
2. The petitioner, who was working as Sub-Staff in the Karur Vysya Bank Limited at Belgaum since 2007, was issued a charge sheet dated 16.11.2011, alleging certain misconduct during the period of his service at Koramangala Branch, Bangalore. The petitioner filed his reply, however, the Disciplinary Authority found his reply not satisfactory, the Enquiry Officer was appointed to hold an enquiry. The Enquiry Officer submitted the report, on which, the petitioner was issued a notice proposing punishment of dismissal from service. The Disciplinary Authority passed the order of dismissal dated 20.09.2013.
3. After passing the dismissal order, an application under Section 33(2)(b) of the Industrial Disputes Act, 1947 came to be filed. The learned Tribunal examined the fairness of the domestic inquiry conducted against the



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workman and held that the said inquiry was conducted in accordance with the relevant service regulations and in observance of the principles of natural justice.

4. The petitioner had remained absent for more than 30 days unauthorizedly. He also faced the inquiry for charge of willful disobedience, insubordination and defying the orders of the superiors. The Tribunal found that there was no mitigating factor to exercise the jurisdiction under Section 11-A of the Industrial Disputes Act, 1947, to modify the order of dismissal from service imposed on the petitioner.
5. The order of punishment of dismissal from service for alleged unauthorized absence of 30 days, for which the petitioner had offered explanation and produced the medical records and alleged insubordination, without any particular instance having been stated, appears to be too harsh and shocks the conscience of the Court. No particular instance of insubordination has been stated except for a bald allegation of insubordination. Even if the charge of unauthorized absence of 30 days and insubordination of superiors is proved, the punishment of



dismissal from service is certainly highly disproportionate to the alleged misconduct committed by the petitioner and this Court finds it shockingly disproportionate.

6. Therefore, we set aside the order of punishment of dismissal dated 20.09.2013 and direct the respondent - Bank to reinstate the petitioner on his original post. The petitioner shall be given backwages at the rate of 25% from the date of dismissal till the date of reinstatement.
7. With the aforesaid observations, we **allow** this writ petition.

In view of the disposal of the writ petition, pending application, if any, does not survive for consideration and the same is disposed of.

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

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