



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 26TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 201105 OF 2024 (L-PG)

BETWEEN:

1. THE EXECUTIVE ENGINEER,
KNNL, LMP DIVISION,
KALABURAGI,
DISTRICT. KALABURAGI-585102.
2. THE MANAGING DIRECTOR,
KNNL, VIJAYA COMPLEX,
SRINAGAR CROSS, HALIYAL ROAD,
DHARWAD-580003.

...PETITIONERS

Digitally signed
by NIJAMUDDIN
JAMKHANDI
Location: HIGH
COURT OF
KARNATAKA

(BY SRI. SUDARSHAN M., AND
SRI PRASANNA KUMAR, ADVOCATES)

AND:

1. THE ASSISTANT LABOUR COMMISSIONER,
APPELLATE AUTHORITY UNDER,
THE PAYMENT OF GRATUITY ACT 1972,
KARMIKA BHAVAN, ITI COMPOUND,
BUS STAND ROAD, KALABURAGI-585102.
2. THE LABOUR OFFICER AND
CONTROLLING AUTHORITY,
THE PAYMENT OF GRATUITY ACT 1972,
KARMIKA BHAVANA, ITI COMPOUND,



BUS STAND ROAD,
KALABURAGI-585102.

SUBHASHCHANDRA S/O CHANDRAPPA
SINCE DIED BY HIS LRS,

3. SMT. SRIDEVI
W/O LATE SUBHACHANDRA,
RTD.WATCHMAN,
AT. H.NO. 29-48,
NEAR RAMTHIRTHA TEMPLE,
KALABURAGI-585104.

...RESPONDENTS

(BY SRI MALLIKARJUN SAHUKAR, AGA FOR R1 & R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO,A) CALL FOR RECORDS ON THE FILE OF THE 1ST APPELLATE AUTHORITY/ ASSISTANT LABOUR COMMISSIONER, KALABURAGI IN THE CASE NO. SAKAAKA/ PGA/ APPEAL/ CR NO. 119/2023-24. B) ISSUE A WRIT, ORDER OR DIRECTION IN THE NATURE OF CERTIORARI, QUASHING THE SAID IMPUGNED ORDER DATED 14/2/2024 PASSED BY THE 1ST APPELLATE AUTHORITY/ ASST. LABOUR COMMISSIONER, KALABURAGI IN CASE BEARING NO. SAKAAKA/PGA/ APPEAL/CR NO. 119/2023-24 BY CONFIRMING THE ORDER DATED 24.02.2023 IN NO. KAAAKA/ UUPAKA/CR NO. 15/2022 PASSED BY THE CONTROLLING AUTHORITY KALABURAGI VIDE ANNEXURE-A. C) ISSUE A WRIT, ORDER OR DIRECTION IN THE NATURE OF CERTIORARI BY QUASHING IMPUGNED ORDER DATED 24.02.2023 OF THE CONTROLLING AUTHORITY UNDER PGA



1972 IN BEARING NO. KAAAKA/ UUPAKA/ CR NO.15/2022 VIDE ANNEXURE-B.D) PASS SUCH OTHER ORDER/S.

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

CORAM: HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

ORAL ORDER

1. The question that arises for consideration in this Writ Petition is:

Whether the Appellate Authority under Section 7(7) of the Payment of Gratuity Act, 1972 [for brevity, 'the Act of 1972] can condone the delay beyond the period of 120 days and entertain the appeal filed under Section 7(7) of the Act of 1972?

2. This Court in **W.P.No.201246/2024** has considered the aforesaid question and has answered in the negative.

3. In view of the aforesaid, this writ petition is disposed of in terms of the order passed in **W.P.No.201246/2024** on 17.03.2026.

4. Accordingly, the following:



NC: 2026:KHC-K:2747
WP No. 201105 of 2024

ORDER

The writ petition is ***dismissed.***

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

NJ
List No.: 2 Sl No.: 26
CT:PK