



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. 201056 OF 2024 (L-PG)

BETWEEN:

1. THE EXECUTIVE ENGINEER,
KNNL, AMARJA DIVISION,
KALABURAGI,
DISTRICT KALABURAGI-585312.
2. THE MANAGING DIRECTOR
KNNL, VIJAYA COMPLEX,
SRINAGAR CROSS, HALIYAL ROAD,
DHARWAD-580003.

...PETITIONERS

(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.

3. CHANDRAKANTHRAO S/O CHINDAMBARAO
RTD. LITERATE ASSISTANT,
PLOT NO.128, J. K. NAGAR,
NEAR VEERBHADRASHWAR TEMPLE
QUADRI CHOWK,
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.140/2023-24, B) ISSUE A WRIT, ORDER OR DIRECTION IN THE NATURE OF CERTIORARI, QUASHING THE SAID IMPUGNED ORDER DATED 14.02.2024 PASSED BY THE 1ST APPELLATE AUTHORITY / ASSISTANT LABOUR COMMISSIONER, KALABURAGI, IN THE CASE NO.SAKAAKA/PGA/APPEAL/CR NO.140/2023, BY CONFIRMING THE ORDER DATED 01.02.2023 IN NO.KAAAKA/UUPAKA/CR NO.90/2021, 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 01.02.2023 OF THE CONTROLLING AUTHORITY UNDER PGA-1972, IN BEARING NO.KAAAKA/UUPAKA/CR NO.90/2021 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:2748
WP No. 201056 of 2024

ORDER

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

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

NJ
List No.: 2 Sl No.: 24