



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 23RD DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 203036 OF 2025 (L-PG)

BETWEEN:

THE DIVISIONAL CONTROLLER,
N. E. K. R. T. C. BIDAR DIVISION,
BIDAR.
BY ITS CHIEF LAW OFFICER.

...PETITIONER

(BY SMT. RATNA N. SHIVAYOGIMATH, ADVOCATE)

AND:

1. THE ASSISTANT LABOUR COMMISSIONER,
AND THE APPELLATE AUTHORITY UNDER
PAYMENT OF GRATUITY ACT, 1972,
KALABURAGI DIVISION, KALABURAGI-585101.
2. THE LABOUR OFFICER,
AND PAYMENT OF GRATUITY AUTHORITY,
BIDAR SUB-DIVISION,
BIDAR-585401.
3. SRI VIJAYKUMAR NAGARI
S/O GUNDAPPA NAGARI,
AGED ABOUT 40 YEARS,
OCC: RETD. JUNIOR ASSISTANT, NO.3092M,
BASAVAKALYAN UNIT-585327.

...RESPONDENTS

(BY SRI SHESHADRI JAISHANKAR M., AGA)



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO, A) ISSUE A WRIT OR ORDER OR DIRECTIONS, A WRIT IN THE NATURE OF CERTIORARI QUASHING THE ORDER DATED 19.09.2024 PASSED BY THE 1ST RESPONDENT IN NO.SAKAAAABE/UPAKA/APPEALU/CR-91/2023-24/675, VIDE ANNEXURE-D AND THE ORDER DATED 14.03.2023 PASSED BY RESPONDENT NO.2 IN NO.KAAAAABE/UPAAKAA/CR-58/2021, VIDE ANNEXURE-B. AND B) PASS SUCH OTHER ORDERS, AS THIS HON'BLE COURT DEEMS FIT AND PROPER IN THE FACTS AND CIRCUMSTANCES OF THE CASE.

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 has been considered by this Court in WP No.201246 of 2024 and it has been held that the Appellate Authority cannot maintain an appeal, which is filed beyond the maximum period of 120 days as provided under the proviso to Section 7(7) of the Payment of Gratuity Act, 1972.

2. In view of the aforesaid, this writ petition is disposed of in terms of the orders passed by this court in WP No.201246 of 2024 dated 17.03.2026.



3. Accordingly, writ petition is dismissed.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

NMS
List No.: 1 Sl No.: 3
CT:PK