



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. 202282 OF 2024 (L-PG)

BETWEEN:

1. THE ASSISTANT EXECUTIVE ENGINEER,
KNNL, KPCC SUB DIVISION-4,
BHALKI CAMP, HUMNABAD
DIST. BIDAR-585330
2. THE MANAGING DIRECTOR,
KNNL, VIJAYA COMPLEX,
SRINAGAR CROSS, HALIYAL ROAD,
DHARWAD-580003.
R/P BY ITS COMPANY SECRETARY

...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 BHAVNA, ITI COMPOUND,
BUS STAND ROAD, KALABURAGI-585102.
2. THE LABOUR OFFICER
AND CONTROLLING AUTHORITY THE PAYMENT OF

Digitally signed
by NIJAMUDDIN
JAMKHANDI
Location: HIGH
COURT OF
KARNATAKA



GRATUITY ACT 1972,
KARMIKA BHAVANA, ITI COMPOUND,
BUS STAND ROAD, KALABURAG-585102.

3. SRI GOVIND S/O MALLAPPA,
OCC. RETD. GOVT. SERVANT,
R/O KHERDA (B)
TQ. BASAVAKALYAN, DIST. BIDAR-585327

...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. 17/2024-25 B) ISSUE A WRIT, ORDER OR DIRECTION IN THE NATURE OF CERTIORARI, QUASHING THE SAID IMPUGNED ORDER DATED 26.06.2024 PASSED BY THE 1st APPELLATE AUTHORITY/ ASST. LABOUR COMMISSIONER, KALABURAGI IN CASE BEARING NO. SAKAAKA/PGA/ APPEAL/CR NO. 17/2024-25 BY CONFIRMING THE ORDER DATED 22.08.2023 IN NO. KAAAABI/ UUPAKA/CR NO. 03/2022 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 22.08.2023 OF THE CONTROLLING AUTHORITY UNDER PGA 1972 IN BEARING NO. KAAAABI/UUPAKA/CR NO.3/2022 VIDE ANNEXURE-B.D) PASS SUCH OTHER ORDER/S.



THIS PETITION, COMING ON FOR PRELIMINARY HEARING, 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:2749
WP No. 202282 of 2024

ORDER

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

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

NJ
List No.: 2 SI No.: 4