



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. 201944 OF 2025 (L-PG)

BETWEEN:

1. HYDERABAD KARNATAKA EDUCATION SOCIETY
SAACA BUILDING, PDA ENGINEERING COLLEGE
CAMPUS, KALABURAGI - 585102
REPRESENTED BY ITS PRESIDENT,
SHASHIL S/O GANGADAR NAMOSHI.
2. THE PRINCIPAL,
HKE SOCIETY POLYTECHNIC COLLEGE,
NEAR AIWAN-W-SHAHI,
KALABURAGI - 585102.

...PETITIONERS

(BY SRI. RAJKUMAR SHANTKUMAR KADGANCHI, ADVOCATE)

AND:

1. SRI SIDDARAM C. PATIL
AGE: MAJOR, OCC: RETD LECTURER,
R/O H.NO.9-55, SHIVANGA NILAYA
NEAR HANUMAN TEMPLE BIDDAPUR COLONY,
KALABURAGI.
2. THE LABOUR OFFICER AND
CONTROLLING AUTHORITY,
KALABURAGI - 585103.



3. THE ASSISTANT LABOUR COMMISSIONER
APPELLATE AUTHORITY KALABURAGI DIVISION
KALABURAGI - 585103

...RESPONDENTS

(BY SRI K. RAVINDRA, ADVOCATE FOR R1;
SRI SHESHADRI JAISHANKAR M., AGA FOR R2 AND R3)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, BY THE ADVOCATE FOR PETITIONER PRAYING THAT THIS HONOURABLE COURT MAY BE PLEASED TO, a) ISSUE A WRIT OF CERTIORARI FOR QUASHING THE ORDER PASSED BY HONOURABLE ASSISTANT LABOUR COMMISSIONER KALABURAGI IN BEARING NO. ಸಕಾಅಕ/ಉಪಾಕಾ/ಅಪೀಲ್/ಸಿಆರ್-72/2024-25/203 IN APPEAL NO. 72/2024 DATED 27.05.2025 VIDE ANNEXURE-D FOR THE REASONS STATED IN THE ACCOMPANYING AFFIDAVIT STATED HEREIN ABOVE. b) PASS AND SUCH ORDERS OR DIRECTION UNDER THE CIRCUMSTANCES COURT DEEMS FIT.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN B GROUP, 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:

ORDER

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

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE