



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 27TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 203030 OF 2023 (L-PG)

BETWEEN:

ASSISTANT EXECUTIVE ENGINEER,
SUB-DIVISION KALABURAGI

...PETITIONER

(BY SRI MALLIKARJUN SAHUKAR, AGA)

AND:

1. SRI KASIM SAB,
H.NO.11-1041/12A/137, MASJID E TAYABA,
MISBA NAGAR, MSK MILL, 2ND CROSS, RING ROAD
JILANABAD KALABURAGI.
2. LABOUR OFFICER AND CONTROLLING AUTHORITY
UNDER PAYMENT OF GRATUNITY ACT KALABURAGI.
3. ASSISTANT LABOUR COMMISSIONER AND
APPELLANTE AUTORITY
UNDER PAYMENT OF GRATUITY ACT 1947
KALABURAGI DIVISION,
KALABURAGI.

...RESPONDENTS

(R2 & R3 ARE SERVED)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO A)

Digitally signed
by SWETA
KULKARNI
Location: HIGH
COURT OF
KARNATAKA



PLEASED TO ISSUE FURTHER WRIT OF CERTIORARI QUASHING ANNEXURE-A ORDER DATED 11-11-2019 PASSED IN FILE NO.ಕಾಅಕ/ಉಪಾಕಾ/ಸಿಆರ್-210/2016 BY THE LABOUR OFFICER AND CONTROLLING AUTHORITY UNDER PAYMENT OF GRATUITY ACT, KALABURAGI AND PLEASED TO PASS ANY APPROPRIATE ORDERS IN FAVOUR OF THE WRIT PETITINERS, IN VIEW OF THE FACTS AND CIRCUMSTANCES AND ALSO HAS DEEMED FIT AND PROPER BY THIS HON'BLE COURT. B) ISSUE A WRIT OF CERTIORARI TO QUASH THE ORDER OF THE 3RD RESPONDENT BEARING NO.ಸಕಾಅಕ/ಪಿಜಿಎ/ಅಪೀಲ್/2023-24 DATED 16/21-08-2023, VIDE ANNEXURE-D. C) PASS ANY APPROPRIATE ORDER IN LIGHT OF 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

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 disposed of on 17.03.2026.

4. Accordingly, the following:

ORDER

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

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

NMS
List No.: 2 Sl No.: 6