



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. 203596 OF 2025 (L-PG)

BETWEEN:

THE ASST. EXECUTIVE ENGINEER,
NO. 1 CANAL SUB-DIVISION,
TURAVIHAL
TQ. SINDHANUR, DIST. RAICHUR 584132

...PETITIONER

(BY SRI. SUDARSHAN M. AND
SRI PRASANNA KUMAR, ADVOCATES)

AND:

1. RAMESHAYYA S/O LATE SIR GURUBASAYYA
AGE: 70 YEARS,
R/O SOMANAL VILLAGE,
TQ. KARATAGI, DIST. KOPAL 586208
2. THE PRINCIPAL SECRETARY
DEPARTMENT OF REVENUE,
M S BUILDING,
BENGALURU 560001
3. THE PRINCIPAL SECRETARY
DEPT. OF WATER RESOURCE,
VIKAS SOUDHA, BENGALURU 560001

Digitally signed
by NIJAMUDDIN
JAMKHANDI
Location: HIGH
COURT OF
KARNATAKA



4. THE DEPUTY COMMISSIONER
D. C.'S OFFICER,
KOPPAL, DIST. KOPPAL 583231
5. THE TAHSILDAR
TALUKA OFFICER,
GANGAVATHI. DIST. KOPPAL 583227
6. THE LABOUR OFFICER
AND CONTROLLING AUTHORITY,
KOPPAL, DIST. KOPPAL 583231
7. THE ASSISTANT LABOUR COMMISSIONER
APPELANT AUTHORITY,
THE PAYMENT GRATUITY ACT, KARMIKA BHAVAN,
ITI COMPOUND, BUS STAND ROAD,
KALABURAGI 585 102.

...RESPONDENTS

(BY SRI. MATH SHARANABASAYYA GANGAYYA.,ADV FOR R1;
SRI. SHESHADRI JAISHANKAR M., AGA FOR R2 TO R7)

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. SaKaAaKa/PGA/APPEAL/CR.NO.63/2025-26 B) ISSUE A WRIT ORDER OR DIRECTION IN THE NATURE OF CERTIORARI QUASHING THE SAID IMPUGNED ORDER DATED 03.09.2025 PASSED BY THE 1ST APPELLATE AUTHORITY/ ASST. LABOUR COMMISSIONER, KALABURAGI IN CASE BEARING NO.SaKaAaKa/PGA/APPEAL/CR.NO.63/2025-26, BY



CONFIRMING THE ORDER DATED 12.09.2023 IN NO. KaAaKa/UuPaKa/CR NO.23/2021-22 PASSED BY R61 THE CONTROLLING AUTHORITY, KOPPAL, VIDE ANNEXURE-A. C) ISSUE A WRIT ORDER OR DIRECTION IN THE NATURE OF CERTIORARI BY QUASHING IMPUGNED ORDER DATED 12.09.2023, OF THE CONTROLLING AUTHORITY UNDER PGA-1972 /R6 VIDE ANENXURE-B D) PASS SUCH OTHER ORDER/S IN THE INTEREST OF JUSTICE AND EQUITY.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING '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

NJ
List No.: 2 Sl No.: 33