



CNR: KAHC010242232020

NC: 2026:KHC:41196
WP No. 1646 of 2021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

WRIT PETITION NO. 1646 OF 2021 (L-KSRTC)

BETWEEN:

1. KARNATAKA STATE ROAD
TRANSPORT CORPORATION,
K.H. ROAD, SHANTHINAGAR,
BENGALURU-560027
BY ITS MANAGING DIRECTOR
REPRESENTED BY ITS
CHIEF LAW OFFICER
2. THE DIVISIONAL CONTROLLER
K.S.R.T.C., RURAL DIVISION,
MYSORE ROAD,
BENGALURU-560026.

...PETITIONERS

(BY SMT. RENUKA H.R., ADVOCATE)

AND:

1. WORKMEN OF KSRTC
REPRESENTED BY
UNITED EMPLOYEES UNION,
OFFICE AT NO.23,
4TH MAIN ROAD,
MATHIKERE EXTENSION,
BENGALURU-560054.
BY ITS GENERAL SECRETARY.
2. THE MANAGING DIRECTOR
MYSORE MINERALS LTD.,

Digitally signed by
PREMCHANDRA M R
Location: HIGH
COURT OF
KARNATAKA



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REGISTERED OFFICE NO.39,
ALI ASKER ROAD,
BENGALURU-560001.

...RESPONDENTS

(R1 - SERVED AND UNREPRESENTED;
VIDE COURT ORDER DATED 18.09.2024,
NOTICE TO R2 IN HELD SUFFICIENT)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226
AND 227 OF THE CONSTITUTION OF INDIA, SEEKING CERTAIN
RELIEFS.

THIS WRIT PETITION IS LISTED FOR PRELIMINARY
HEARING IN 'B' GROUP, THIS DAY, AN ORDER IS MADE AS
UNDER:

ORAL ORDER

Smt.H.R.Renuka, counsel for the petitioners, appeared in
person.

Emergent notice was issued to the respondents. A perusal
of the office note indicates that respondent No.1 was served
and is unrepresented. Notice to respondent No.2 was held
sufficient vide order dated 18.09.2024. They have neither
engaged an advocate nor chosen to conduct the case in person.

2. The short facts are as follows:

The Government of Karnataka, vide order dated
06.02.2001, approved the policy framed for the



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privatization/closure of 15 PSE under the P.E. Reforms Policy. The respondents in this petition were working in Mysore Mineral Limited, one of 15 PSE's, based on the option given by Mysore Mineral Mills, the workmen submitted their willingness to work as drivers in KSRTC. The State Government issued an order for the absorption of employees of the Corporation who were working on deputation as on 11.02.2003, subject to certain terms and conditions. The respondents were absorbed into the Corporation and were extended the benefits from the date of absorption, i.e., with effect from 16.03.2004. The Board of the Corporation, considering the request of the employees on deputation, resolved to absorb their services from 24.02.2003, i.e., from the date of the Government Order.

The respondents filed a writ petition under W.P.No.23807 of 2005, challenging a portion of the order that restricted benefits from the date of absorption. The writ petition was disposed of with directions to the parties to resolve their dispute through the industrial dispute mechanism. Accordingly, an industrial dispute was raised in I.D.No.204 of 2012 to determine whether the respondents are entitled to claim



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service benefits and pay fixation as claimed. The Tribunal, by order dated 19.04.2018, allowed the claim petition. Under these circumstances, the Corporation is before this Court and has filed the petition on several grounds outlined in the memorandum of the writ petition.

3. Counsel appearing for the Corporation vehemently contends that the award of the Tribunal is contrary to the terms and conditions of the Government Order and the subsequent order issued by the Corporation. She also argued that the Tribunal erred in passing the award, holding that the first-party workmen are entitled to the relief they claimed in the claim statement. Urging additional grounds, she submits that the award may be set aside.

4. Heard the arguments and perused the papers with utmost care.

5. Point for determination: Whether the Tribunal was justified in granting relief to the first-party workmen beyond the scope of the orders issued by the State Government and the Corporation.



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6. The facts are clearly stated and do not need repetition. It is undisputed that the respondents worked at Mysore Mineral Ltd. and, following the State Government's order for absorption, they were absorbed into the Corporation on deputation with specific terms and conditions. It is important to note that the respondents were absorbed into the Corporation and received benefits from the date of absorption, i.e., 16.03.2004. However, upon the Board's intervention and considering the employees' deputation request, it was resolved to backdate their service absorption to the date of the Government's order, i.e., 24.02.2003. Surprisingly, the respondents raised a dispute and sought several reliefs as outlined below:

- (i) To treat the period of service rendered by the workmen in 2nd party No.1 as continuity of service at the time of the deputation of the workmen to the 2nd party No.2 by duly protecting the last wages drawn by them under 2nd party No.1 at the time of deputation.
- (ii) To fix the pay of the workmen on deputation to the 2nd party No.2 by duly considering the



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service rendered by the workmen under 2nd party No.1.

- (iii) To grant annual increment, pay fixation benefit and all other consequential benefits to the workmen on par with the other drivers working in the KSRTC by applying the principle of "EQUAL PAY FOR EQUAL WORK".
- (iv) To grant all consequential benefits, including arrears of wages, from the initial date of deputation.

7. The prayer advanced by the claimants could not, in law, extend beyond the operative directions contained in the orders of the State Government and the Corporation. The Tribunal, however, proceeded to uphold the claim in the statement without examining the precise relevance and binding effect of the State Government's order of absorption and the subsequent order of the Corporation. This omission vitiates the conclusion reached.

The entitlement of the first-party workmen must necessarily be tested against the framework of the orders issued by the competent authorities. The Tribunal overlooked this essential aspect and thereby granted relief that was not



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legally sustainable. The failure to consider the interplay between the State Government's order and the Corporation's order resulted in an erroneous assumption of jurisdiction and an unwarranted extension of benefits.

Therefore, it is held that the Tribunal erred in law in upholding the claim of the first-party workmen without due regard to the limitations imposed by the orders of the State Government and the Corporation. The award cannot be sustained.

8. For the reasons, the award dated 19.04.2018 passed in I.D.No.204 of 2012 by the Industrial Tribunal, Bengaluru vide Annexure-H is quashed.

9. Accordingly, the writ petition is ***allowed***.

Because of the disposal of the Writ Petition, all pending interlocutory applications, if any, are disposed of, and the interim order, if any, granted by this Court stands discharged.

Sd/-
(JYOTI M)
JUDGE

SS
List No.: 1 Sl No.: 28