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**Federation Of Karnataka Vs. All India Trade Union Congress (r)**

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**SooperKanoon Citation** : sooperkanoon.com/1235821

**Court** : Karnataka

**Decided On :** Dec-13-2024

**Judge** : Chief Justice and K. V. Aravind

**Appeal No.** : WA 113/2024

**Appellant** : Federation Of Karnataka

**Respondent** : All India Trade Union Congress (r)

**Judgement** :

- 1 - IN THE HIGH COURT OF KARNATAKA AT BENGALURU DATED THIS THE13H DAY OF DECEMBER, 2024 PRESENT THE HON'BLE MR. N.V. ANJARIA, CHIEF JUSTICE AND THE HON'BLE MR. JUSTICE K.V. ARAVIND WRIT APPEAL No.23 OF2024(L - MW) C/W WRIT APPEAL Nos. 53/2024, 54/2024, 78/2024, 82/2024, 87/2024, 88/2024, 90/2024, 92/2024, 93/2024, 107/2024, 113/2024, 139/2024, 141/2024, 142/2024, 148/2024, 156/2024, 159/2024, 160/2024 , 161/2024 , 162/2024, 165/2024, 166/2024, 170/2024, 177/2024, 216/2024, 316/2024, 413/2024, 438/2024, 502/2024, 511/2024, 533/2024, 542/2024, 543/2024, 545/2024, 553/2024, 565/2024, 567/2024, 570/2024, 572/2024, 573/2024, 574/2024, 575/2024, 576/2024, 577/2024, 578/2024, 579/2024, 580/2024, 581/2024, 583/2024, 644/2024 AND9052024 (L - MW) IN W.A. No.23 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS ASSOCIATION HAVING ITS OFFICE AT: NO.74, 2ND FLOOR, SHANKARA ARCADE, VANI VILAS ROAD, BENGALURU - 560 004, AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT, 1926, REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT2. MACHENAHALLI INDUTRIES ASSOCIATION HAVING ITS OFFICE AT: KIADB MAIN ROAD, SHIVAMOGGA-BHADRAVATHI INDUSTRIAL AREA MACHENAHALLI, NIDIGE, - 2 - SHIVAMOGGA - 577 222, AN ASSOCIATION INCORPORATED UNDER THE KARNATAKA SOCIETIES REGISTRATION ACT,1960, AND ENGAGED IN PROMOTING FOUNDRY, MACHINE SHOP AND ALLIED INDUSTRIES, REPRESENTED THROUGH ITS HONORARY PRESIDENT SRI RAMESH HEGDE M.A. 3 . SHANTHALA SPHEROCAST PVT. LTD., NO.36B, SHIMOGA BHADRAVATHI INDUSTRIAL AREA, MACHENAHALLI,NIDIGE POST - 577 222, SHIMOGA KARNATAKA, A COMPANY INCORPORATED UNDER THE COMPANIES ACT1956 ENGAGED IN FOUNDRY, MACHINE SHOP AND ALLIED INDUSTRIES, REPRESENED BY ITS MANAGING DIRECTOR, SRI D.B. ASHOK ...APPELLANTS (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R) KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020. REP BY ITS GENERAL SECRETARY2. ENGINEERING & GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003. REPRESENTED BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, - 3 - BENGALURU - 560 001, REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY ... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & R-2, SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER

DATED2609/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.3632/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS.1 AND2 IN W.A. No.53 OF 2024 BETWEEN:

1. . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE AND INUDSTRY (FKCCI) FEDERATION HOUSE, K.G. ROAD, BANGALORE - 560 009 REPRESENTED BY ITS SECRETARY GENERAL SRI M LOKRAJ, S/O MANICKAM MUNISW.A.MY, AGED ABOUT75YEARS. 2 . ELECTRONIC RELAYS INDIA PVT. LTD. NO93A, INDUSTRIAL SUBURB, II STAGE, YESHW.A.NTHPURA, BANGALORE - 560 022 REPRESENTED BY ITS GENERAL MANAGER - OPERATIONS, SRI T.N. SHIVAPRASAD, S/O LATE T.S.N MURTHY RAO, AGED ABOUT72YEARS. ...APPELLANTS (BY SRI SUBBA RAO G.S., ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA - 4 - STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & R-2, SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET-ASIDE THE

ORDER
OF THE LEARNED SINGLE JUDGE DATED2609/2023 IN W.P. NO.13304/2023 BY ALLOWING THE WRIT APPEAL. IN W.A. No.54 OF 2024 BETWEEN:

1. . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE AND INDUSTRY(FKCCI), FEDERATION HOUSE, K.G. ROAD, BANGALORE - 560 009 REPRESENTED BY ITS SECRETARY GENERAL SRI M LOKRAJ, S/O MANICKAM MUNISWAMY, AGED ABOUT75YEARS - 5 - 2 . BRIDGEWELL

MOTORS LLP NO615 DR. RAJKUMAR ROAD, PRAKASHNAGAR, BANGALORE - 560 021 REPRESENTED BY ITS PROPRIETOR, SRI SHARATH REDDY, S/O LATE C.M. REDDY AGED ABOUT60YEARS ...APPELLANTS (BY SRI SUBBA RAO G.S., ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & R-2, SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET-ASIDE THE

ORDER
OF THE - 6 - LEARNED SINGLE JUDGE DATED2609.2023 IN W.P. No.3622 OF 2023 BY ALLOWING THE WRIT APPEAL. IN W.A. No.78 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS ASSOCIATION HAVING ITS OFFICE AT NO: No.74, 2ND FLOOR SHANKARA ARCADE VANI VILAS ROAD BEGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT2. KARNATAKA SECURITY SERVICES ASSOCIATION (R) NO22A, MAHATMA GANDHI ROAD AJANTHA HOTEL BENGALURU - 560 001 AN ASSOCIATION INCORPORATED UNDER THE KARNATAKA SOCIETIES REGISTRATION ACT 1960 AND ITS MEMBERS ARE ENGAGED IN PROVIDING SECURITY SERVICES REPRESENTED THROUGH ITS SECRETARY GENERAL SRI B.R. SHEETHAL KUMAR. 3 . RAKSHA MANAGEMENT AND PROTECTION SERVICES PVT. LTD., No.19, 1ST MAIN, SBI OFFICERS COLONY, BASAVESHWARA NAGAR BENGALURU - 560 079 A

PRIVATE LIMITED COMPANY INCORPORATED UNDER THE COMAPNIES ACT, 1956 REPRESENTED BY BRAHAMANDAND TIMMANAN NAYAK DIRECTOR ...APPELLANTS (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) - 7 - AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING & GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2, SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED2609.2023 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. No.3654/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND2 IN W.A. No.82 OF 2024 BETWEEN:

1. . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI) FEDERATION HOUSE, K.G. ROAD BANGALORE - 560 009 - 8 - REPRESENTED BY ITS SECRETARY GENERAL SRI M. LOKRAJ S/O MANICKAM MUNISWAMY AGED ABOUT75YEARS. 2 . EAGLESAFE SECURITY SERVICES NO340 12TH MAIN, 3RD FLOOR6H BLOCK, RAJAJINAGAR BANGLAORE - 560 004 REPRESENTED BY ITS PROPRIETOR SRI SHANTHARAJU S/O THAMMAIAH AGED ABOUT42YEARS ...APPELLANTS (BY SRI SUBBA RAO G.S., ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU -

560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING & GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2, SMT. NILOUFER AKBAR, AGA FOR R-3) - 9 - THIS WRIT APPEAL IS FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
OF THE LEARNED SINGLE JUDGE DATED2609/2023 IN W.P. NO.3654/2023 BY ALLOWING THE WRIT APPEAL. IN W.A. No.87 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS ASSOCIATION HAVING ITS OFFICE AT NO74 2ND FLOOR, SHANKARA ARCADE, VANI VILAS ROAD, BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNION ACT, 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT2. KARNTAKA OFFSET PRINTERS ASSOCIATION9051, 2ND FLOOR, KOPA-TOPTEC BUILDING, 2ND MAIN, RAJAJINAGAR, INDUSTRIAL TOWN, BENGALURU - 560 044 REPRESENTED BY V. KRISHNAMOORTHY, PRESIDENT3. OMKAR OFFSET PRINTERS No.3/4, 1ST MAIN ROAD, NEW THARAGUPET, BENGALURU - 560 002 REPRESENTED BY P.S. VENKATESH BABU, PARTNER ...APPELLANTS (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, - 1 0 - BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING & GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF

LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & R-2, SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED2609.2023 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. No.13125/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND2 IN W.A. No.88 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS ASSOCIATION HAVING ITS OFFICE AT: No.74, 2ND FLOOR, SHANKARA ARCADE VANI VILAS ROAD BEGLAURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT,1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT - 1 1 - 2 . BRS PRECISION MANUFACTURING PRIVATE LIMITED UNIT1HAROHALLI, 1ST A, 1ST PHASE INDUSTRIAL AREA, KANAKAPURA TALUK RAMANAGARA DISTRICT - 562 112 A COMPANY INCORPORATED ACT, 1956 REPRESENTED BY ITS MANAGING DIRECTOR SANDIP PATIL ...APPELLANTS (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING & GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2, SMT. NILOUFER AKBAR, AGA FOR R-3) - 1 2 - THIS WRIT APPEAL FILED

U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED2609.2023 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. No.3622/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND2 IN W.A. No.90 OF 2024 BETWEEN:

1. . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI) FEDERATION HOUSE, K.G. ROAD, BANGALORE - 560 009. REPRESENTED BY ITS SECRETARY GENERAL, SRI M. LOKRAJ S/O MANICKAM MUNISWAMY AGED ABOUT75YEARS2. JOHN DISTILLERIES PVT. LTD. NO.110, PANTHARAPALYA MYSORE ROAD BANGALORE - 560 039 REPRESENTED BY ITS DIRECTOR SRI N. KRISHNAN NAMBOODIRI S/O NEELAKANTAN NAMBOODIRI AGED ABOUT71YEARS. ...APPELLANTS (BY SRI SUBBA RAO G.S., ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING & GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, - 1 3 - G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2, SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET-ASIDE THE

ORDER
OF THE LEARNED SINGLE JUDGE DATED2609/2023 IN W.P. NO.13143/2023 BY ALLOWING THE WRIT APPEAL. IN W.A. No.92 OF 2024 BETWEEN:

1. . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI), FEDERATION HOUSE, K G ROAD, BANGALORE - 560 009 REPRESENTED BY ITS SECRETARY GENERAL SRI M LOKRAJ, S/O MANICKAM MUNISWAMY, AGED ABOUT75YEARS2. SUNIL AGRO FOODS LTD NO32A2, HOSKOTE, INDUSTRIAL AREA, CHAKKAHALLY, HOSKOTE, BANGALORE - 562 114 REPRESENTED BY ITS MANAGING DIRECTOR, SRI B. SHANTHILAL, S/O BHANSILAL, AGED ABOUT82YEARS ...APPELLANTS (BY SRI SUBBA RAO G.S., ADVOCATE) - 1 4 - AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING & GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2, SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED2609.2023 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. No.13150 OF 2023 BY ALLOWING THE WRIT APPEAL. IN W.A. No.93 OF 2024 BETWEEN:

1. . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI) FEDERATION HOUSE, K.G. ROAD, BANGALORE - 560 009 REPRESENTED BY ITS SECRETARY GENERAL SRI M LOKRAJ S/O MACHICKAM MUNISWAMY AGED ABOUT75YEARS - 1 5 - 2 . KARNATAKA STATE PRINTERS ASSOCIATION (R) REGD. OFFICE AT No.44, AVENUE ROAD, BANGALORE - 560002. REPRESENTED BY ITS PRESIDENT, SRI B.R.

ASHOK KUMAR, S/O RATHNAM SHETTY, AGED ABOUT65YEARS3. SRI VENKATESHWARA PRINTING PRESS No.57, 9TH CROSS, I.G. CIRCLE, 1ST PHASE, J.P. NAGAR, BANGALORE - 560 078 REPRESENTED BY ITS PROPRIETOR, C.R. JANARDHANA, S/O C.K. RAMAIAH SHETTY, AGED ABOUT73YEARS ...APPELLANTS (BY SRI SUBBA RAO G.S., ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING & GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS - 1 6 - (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & R-2, SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
OF THE LEARNED SINGLE JUDGE DATED2609.2023 IN W.P. No.13125/2023 BY ALLOWING THE WRIT APPEAL. IN W.A. No.107 OF 2024 BETWEEN:

1. . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI) FEDERATION HOUSE K G ROAD, BANGALORE-560009 REPRESENTED BY ITS SECRETARY GENERAL, SRI M LOKRAJ, S/O MANICKAM MUNISWAMY AGED ABOUT75YEARS2. SRI SHANTI VIJAY SAW MILL NEAR SHIHEENEERU KOLA POST MANDYA TALUK MANDYA, KARNATAKA PIN CODE - 571 401 REPRESENTED BY IS PROPRIETOR SRI GOVIND B PATEL S/O LATE BHIMJI R. PATEL AGED ABOUT75YEARS ...APPELLANTS (BY SRI SUBBA RAO G.S., ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU -

560 020 REP. BY ITS GENERAL SECRETARY - 1 7 - 2 . ENGINEERING & GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & R-2, SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
OF THE LEARNED SINGLE JUDGE DATED1010/2023 IN WP NO.22540/2023 BY ALLOWING THE WRIT APPEAL. IN W.A. No.113 OF 2024 BETWEEN:

1. . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI) FEDERATION HOUSE, KG ROAD, BANGALORE - 560 009 REPRESENTED BY ITS SECRETARY GENERAL, SRI M LOKRAJ, S/O MANICKAM MUNISWAMY, AGED ABOUT75YEARS. 2 . UDUPI SRI KRISHNA BHAVAN NO.123-124, JANARDHAN BUILDING, BALEPETE, BENGALURU, KARNATAKA - 560 053 REPRESENTED BY ITS PARTNER, SRI H.S. SUBRAMANYA, - 1 8 - S/O LATE H.J.

SRINIVASA, AGED ABOUT55YEARS. ...APPELLANTS (BY SRI SUBBA RAO G.S., ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B.

NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET-ASIDE THE

ORDER
OF THE LEARNED SINGLE JUDGE DATED1010.2023 IN WP No.22481/2023 BY ALLOWING THE WRIT APPEAL. IN W.A. No.139 OF 2024 BETWEEN:

1. . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI), - 1 9 - FEDERATION HOUSE, K.G. ROAD, BANGALORE - 560 009 REPRESENTED BY ITS SECRETARY GENERAL SRI M LOKRAJ S/O MANCIKAM MUNISWAMY AGED ABOUT75YEARS2. SUDARSHAN PIPES EXTRUSIONS PVT. LTD. N-603, SNN RAJ LAKE VIEW APARTMENTS, 29TH MAIN, BTM LAYOUT BANGALORE, KARNATAKA - 560 076 REPRESENTED BY ITS DIRECTOR SRI ARVIND KUMAR SALAMPURIA S/O LATE SRI K.L. SALAMPURIA AGED ABOUT58YEARS ...APPELLANTS (BY SRI SUBBA RAO G.S., ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, - 2 0 - SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET-ASIDE THE

ORDER

OF THE LEARNED SINGLE JUDGE DATED1010/2023 IN W.P. NO.22425/2023 BY ALLOWING THE WRIT APPEAL, DISMISS THE WRIT PETITION FILED BY RESPONDENT NOS.1 AND2AND RETAIN THE EXISTING REVISION OF MINIMUM WAGES & ETC. IN W.A. No.141 OF 2024 BETWEEN:

1. . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI), FEDERATION HOUSE K.G. ROAD, BANGALORE - 560 009 REPRESENTED BY ITS SECRETARY GENERAL, SRI .M. LOKARAJ, S/O MANICKAM MUNISWAMY, AGED ABOUT75YEARS2. FEATHERLITE PRODUCTS PVT. LTD. 16/A, MILLERS ROAD, K.K.M.P BUILDING, VASANTHNAGAR, BANGALORE - 560 052 REPRESENTED BY ITS DIRECTOR, SRI DHIREN GOPAL, S/O GOPAL RAMNARAYAN, AGED ABOUT60YEARS ...APPELLANTS (BY SRI SUBBA RAO G.S., ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY - 2 1 - 2 . ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET-ASIDE THE

ORDER
2609.2023 IN W.P. No.13153/2023 BY ALLOWING THE WRIT APPEAL, DISMISS THE WRIT PETITION FILED BY RESPONDENT Nos.1 AND2AND PASS AN

ORDER

TO RETAIN THE EXISTING REVISION OF THE MINIMUM WAGES & ETC. IN W.A. No.142 OF 2024 BETWEEN:

1. . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI) FEDERATION HOUSE, K.G. ROAD, BANGALORE - 560 009, REPRESENTED BY ITS SECRETARY GENERAL, SRI M. LOKRAJ, S/O. MANICKAM MUNISWAMY, AGED ABOUT75YEARS. 2 . KARNATAKA DRUGS & PHARMACEUTICALS MANUFACTURES ASSOCIATION38 BHARAT DELUXE APARTMENT, 44/1, A AND B, FAIRFIELD LAYOUT, - 2 2 - RACE COURSE ROAD, BANGALORE - 560 001. REPRESENTED BY ITS SECRETARY GENERAL, SRI GAJANAN CHANDRASHEKHAR SASTRY, S/O. K.S.C. SASTRY, AGED ABOUT61YEARS. 3 . SRUSHTI PHARMACEUTICALS PVT. LTD., 154, 10TH MAIN ROAD, PEENYA IIIRD PHASE, BANGALORE - 560 058,, REPRESENTED BY ITS DIRECTOR, MR. JATISH SHETH, S/O. MR. N.K. SHETH, AGED ABOUT67YEARS. ...APPELLANTS (BY SRI SUBBA RAO G.S., ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & R-2, SMT. NILOUFER AKBAR, AGA FOR R-3) - 2 3 - THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET-ASIDE THE

ORDER
OF THE LEARNED SINGLE JUDGE DATED1010/2023 IN W.P. NO.22543/2023 BY ALLOWING THE WRIT APPEAL, DISMISS THE WRIT PETITION FILED BY RESPONDENT NOS.1 AND2AND PASS AN

ORDER

TO RETAIN THE EXISTING REVISION OF MINIMUM WAGES & ETC. IN W.A. No.148 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS ASSOCIATION HAVING ITS OFFICE AT: NO.74,2ND FLOOR,SHANKARA ARCADE VANI VILAS ROAD,BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT, 1926, REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT. 2 . ANHEUSER BUSCH INBEV INDIA LIMITED6H FLOOR, GREEN HEART BUILDING, MFAR MANYATA TECH PARK, PHASE-IV, NAGAVARA, BENGALURU - 560 045 A COMPANY INCORPORATED UNDER THE COMPANIES ACT, 1956, ENGAGED IN THE PRODUCTION, DISTRIBUTION AND SALE OF BEER, ALCOHOLIC BEVERAGES AND SOFT DRINKS, REPRESENTED BY ITS SENIOR MANAGER, LEGAL AND COMPLIANCE, SRI. ABHIMAN MOODITHAYA. ...APPELLANTS (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 - 2 4 - REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER

DATED2609.2023 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. No.13143/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS. 1 AND2 IN W.A. No.156 OF 2024 BETWEEN:

1. . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI) FEDERATION HOUSE, K.G. ROAD, BANGALORE - 560 009 REPRESENTED BY ITS SECRETARY GENERAL SRI. M LOKRAJ S/O MANICKAM MUNISWAMY AGED ABOUT75YEARS2. BOWRING INSTITUTION19ST. MARKS RD, SHANTHALANAGAR ASHOK NAGAR, BENGALURU KARNATAKA - 560 001 REPRESENTED BY ITS - 2 5 - SECRETARY MR. H.S. SHRIKANT S/O LATE H.D. SATHYAN AGED ABOUT63YEARS3. FEDERATION OF CLUBS BANGALORE CLUB FIELD MARSHAL K.M. KARIYAPPA ROAD, BANGALORE - 560 025 REPRESENTED BY ITS PRESIDENT MR. H.S. SHRIKANT S/O LATE H D SATHYAN AGED ABOUT63YEARS4. CENTURY CLUB1 SESHADRI RD NUNEGUNDLAPALLI, AMBEDKAR VEEDHI, BENGALURU, KARNATAKA - 560 001 REPRESENTED BY ITS HON. SECRETARY MR. BALASUBRAMANIAM SRINIVASAN S/O V SRINIVASAN AGED ABOUT58YEARS5. KARNATAKA STATE BILLIARDS ASSOCIATION51, JASMA BHAVAN ROAD VASANTH NAGAR BENGALURU KARNATAKA - 560 052 RERPESENTED BY ITS HON . SECRETARY MR. H.E. ANAND S/O H.P. ERAPPA AGED ABOUT40YEARS6. THE MALLESHWARAM ASSOCIATION #110, 7TH CROSS, MARGOSA ROAD OPP. MALLESHARAM, BENGALURU KARNATAKA - 560 003 REPRESENTED BY ITS HON. SECRETARY MR. B. MURALIDHARA S/O. C. BETTASWAMY GOWDA AGED ABOUT53YEARS7. THE BANGALORE CLUB - 2 6 - FIELD MARSHAL K.M. CARIAPPA ROAD BANGALORE - 560 025, INDIA, REPRESENTED BY ITS HON. SECRETARY MR. KRISHNA KUMAR NAIR S/O LATE K P D NAIR AGED ABOUT58YEARS ...APPELLANTS (BY SRI SUBBA RAO G.S., ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN,

VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2, SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET-ASIDE THE

ORDER
OF THE LEARNED SINGLE JUDGE DATED2609/2023 IN W.P. NO.13464/2023 BY ALLOWING THE WRIT APPEAL, DISMISS THE WRIT PETITION FILED BY RESPONDENT NOS.1 AND2AND TO PASS AN

ORDER
TO RETAIN THE EXISTING REVISION OF MINIMUM WAGES.-. 2 7 - IN W.A. No.159 OF 2024 BETWEEN:

1. . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI) FEDERATION HOUSE, K G ROAD, BANGALORE - 560 009 REPRESENTED BY ITS SECRETARY GENERAL, SRI M LOKRAJ, S/O MANICKAM MUNISWAMY, AGED ABOUT75YEARS2. M/S BALIGA FISHNETS NH No.66, HANUMANTA NAGAR, PUTTUR, UDUPI - 576105 REPRESENTED BY ITS MANAGING PARTNER, MR. MURALIDHAR BALIGA, S/O LATE VAMAN BALIGA AGED ABOUT63YEARS ...APPELLANTS (BY SRI SUBBA RAO G.S., ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, - 2 8 - DR. B.R. AMBEDKAR VEEDHI,

BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2, SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
OF THE LEARNED SINGLE JUDGE DATED2609.2023 IN W.P. No.3665 OF 2023 BY ALLOWING THE WRIT APPEAL, DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS. 1 AND2AND PASS AN

ORDER
TO RETAIN THE EXISTING REVISION OF MINIMUM WAGES & ETC. IN W.A. No.160 OF 2024 BETWEEN:

1. . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI), FEDERATION HOUSE K.G. ROAD, BANGALORE - 560 009 REPRESENTED BY ITS SECRETARY GENERAL, SRI M LOKRAJ S/O MANICKAM MUNISWAMY AGED ABOUT75YEARS. 2 . SIL GLASS AND PLYWOODS NO.623, 50TH CROSS, 3RD BLOCK, RAJAJINAGAR BANGALORE - 560 010 REPRESENTED BY ITS MANAGING PARTNER SMT. P. ROOPA D/O K R PARANJOTHI AGED ABOUT43YEARS ...APPELLANTS (BY SRI SUBBA RAO G.S., ADVOCATE) - 2 9 - AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR

R-2, SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET-ASIDE THE

ORDER
OF THE LEARNED SINGLE JUDGE DATED1210/2023 IN W.P. NO.22994/2023 BY ALLOWING THE WRIT APPEAL, DISMISS THE WRIT PETITION FILED BY RESPONDENT NOS.1 AND2AND TO PASS AN

ORDER
TO RETAIN THE EXISTING REVISION OF MINIMUM WAGES & ETC. IN W.A. No.161 OF 2024 BETWEEN:

1. . THE EMPLOYEES FEDERATION OF SOUTHERN INDIA, CHENNAI , TAMILNADU REP. BY ITS SECRETARY GENERAL - 3 0 - 2 . PEENYA INDUSTRIES ASSOCIATION18B PEENYA TRADE CENTRE1T CROSS ROAD, PEENYA1T STAGE, PEENYA, BENGALURU - 560 058 REP BY ITS PRESIDENT. 3 . ELECTRONICS AND CONTROLS POWER SYSTEM PVT. LTD. R.T. NAGAR, BENGALURU - 560 032 REP. BY MR. RAJARAM RAMMOORTHY4. ASHWINI HARD CHROME INDUSTRIES PEENYA INDUSTRIAL AREA, BENGALURU - 560 058 REP. BY MR A.P. SELAKUMAR5. LAKSHMI ELECTRO PLATERS PEENYA INDUSTRIAL AREA, BENGALURU - 560 058 REP. BY MR. S.K. SHANNAPPA6. VIJAY METAL FINISHERS PEENYA INDUSTRIAL AREA, BENGALURU - 560 058 REP. BY DR RUDHESH H.B. 7 . SHANKAR CASHEW EXPORTS DOOPADAKATTE KARNATAKA - 576 124 REP. BY MR. SHANKAR SUVARNA8. P.S. AGRO FOODS NO23,72ND CROSS, 6TH BLOCK, RAJAJINAGAR, BANGALORE - 560 010 REP. BY MR. VIKRAM GOLECHA9. GLITTER PRINTZ KSSIDC INDL. ESTATE RAJAJINAGAR BENGALURU - 560 010 REP. BY MR. VASUDEVAN V.R.-. 3 1 - 10 . R.R. INDUSTRIES No.447, 1ST MAIN ROAD, 7TH CROSS, PRKASHNAGAR, BENGALURU - 560 021 REP BY MR. R.R. DURAI11. BENAKA ELECTRONICS13 WEST OF CHORD ROAD, 4TH MAIN, 4TH CROSS, INDUSTRIAL TOWN BENGALURU - 560 044 REP. BY MR K. VENKATESH12. FINE TOOLS (INDIA ) PVT. LTD. PEENYA, BANGALORE - 560 058 REP. BY

MR.MOHAN S.S. 13 . VISAT TOOLS PVT. LTD PEENYA BANGALORE - 560 058 REP. BY MR VIRUPAXAPPA14. SANJAY POLYMERS NO291, 1ST MAIN, 1ST CROSS, PETECHENNAPPA INDUSTRIAL ESTATE, KAMAKSHIPALYA MAGADI ROAD, BENGALURU - 560 079 REP. BY MR SHRIYANS KUMAR JAIN15. SRI LUXMI ELECTROPLATING PEENYA INDUSTRIAL AREA, BENGALUR - 560 058 REP. BY MR. L.C. RAMAKRISHNA16. POLYMET DIMENSIONS MAGADI MAIN ROAD, BENGALURU - 560 079 REP. BY MR. RAJESH S.B. 17 . BIHANI CONTAINERS NO C -132, 2ND B MAIN, PEENYA INDUSTRIAL ESTATE, 2ND STAGE, PEENYA, BENGALURU - 560 058 REP. BY MR. PAWAN KUMAR BIHANI - 3 2 - 18 . BIHANI PLASTICS CF-A, MS COMPLEX, 6TH MAIN, 2ND STAGE, PEENYA INDUSTRIAL ESTATE BENGALURU - 560 058 REP. BY MR. PAWAN KUMAR BIHANI19. PRIMEX PLASTICS (P) LTD NO481, 8TH MAIN, SLV INDUSTRIAL ESTATE, PEENYA2D STAGE BENGALURU - 560 058 REP BY MR. SHARANA BASAVA20. ARADHANA FIBREGLASS TECHNOLOGIES No.295, 8TH CROSS, 4TH PHASE, PEENYA INDUSTRIAL AREA BENGALURU - 560 058 REP. BY MR. K. VIJAYAPRAKASH21. ESKAY POLYMERS C-40, 2ND MAIN , KSSIDC INDUSTRIAL ESTATE DODDABALLAPURA - 562 163 REP. BY MR. SUDHAKAR ADIGA ...APPELLANTS (BY SRI K. KASTURI, SENIOR ADVOCATE FOR SMT. SUBHA ANANTHI K., ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, REGISTERED UNDER THE TRADE UNIONS ACT, 1926, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION REGISTERED UNDER THE TRADE UNIONS ACT, 1926, BENGALURU DISTRICT, GHATA BHAVAN, VYALIKAVAL, G.D. PARK, EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY - 3 3 - 3 . THE STATE OF KARNATAKA REP. BY THE DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO ALLOW THE APPEAL

AND SET ASIDE THE

JUDGMENT
OF THE HONBLE SINGLE JUDGE DATED1210/2023 IN W.P. NO.22430/2023 (L-MW) C/W. W.P. 13304/2023 (L-MW), W.P. No.13441/2023 (L-MW), W.P. No.133153/2023 (L-MW), W.P. No.13150/2023 (L-MW), W.P. No.3622/2023 (L-MW), W.P. No.13125/2023 (L-MW) ALL DTD.26.09.2023, GIVING SUCH BROAD DIRECTIONS TO REDO ALL THE NOTIFICATIONS CONCERNING THE APPELLATE MEMBERS. IN W.A. No.162 OF 2024 BETWEEN:

1. . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI), FEDERATION HOUSE, K.G. ROAD, BANGALORE - 560 009 REPRESENTED BY ITS SECRETARY GENERAL, SRI M. LOKARAJ, S/O MANICKAM MUNISWAMY, AGED ABOUT75YEARS2. MILESTONE BUILDERS982, 60TH MAIN, MILESTONE PALMS LAYOUT, HARAGADDE, JIGAJI BENGALURU URBAN KARNATAKA - 562106 REP. BY ITS MANAGING PARTNER - 3 4 - PRAVEEN BETHAPUDI S/O KRIPANANDAM AGED ABOUT42YEARS ...APPELLANTS (BY SRI SUBBA RAO G.S., ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R) KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020. REP BY ITS GENERAL SECRETARY2. ENGINEERING & GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003. REPRESENTED BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001, REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY ... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & R-2, SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET-ASIDE THE

ORDER

OF THE LEARNED SINGLE JUDGE DATED1210/2023 IN W.P. NO.22430/2023 BY ALLOWING THE WRIT APPEAL, DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS.1 AND2AND PASS AN

ORDER
TO RETAIN THE EXISTING REVISION OF MINIMUM WAGES & ETC.-. 3 5 - IN W.A. No.165 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS ASSOCIATION HAVING ITS OFFICE AT: NO74 2ND FLOOR, SHANKARA ARCADE, VANI VILAS ROAD BENGALURU - 560 004 AN ASSOCIATION REGISETERED UNDER THE TRADE UNION ACT 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT. 2 . THE B. VENKAT RAO AND S SAJJAN RAO MAHRATTA STUDENTS HOME No.4, BULL TEMPLE ROAD, SHANKARAPURAM, BENGALURU - 560 004 A CHARITABLE TRUST REGISTERED UNDER SECTION12 OF THE INCOME TAX ACT, 1961 REPRESENTED THROUGH ITS HONARARY SECRETARY & TREASURER SRI AJAY KADAM. ...APPELLANTS (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY - 3 6 - 3 . THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER

DATED2609.2023 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. No.13103/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND2 IN W.A. No.166 OF 2024 BETWEEN:

1. . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI) FEDERATION HOUSE, KG ROAD, BANGALORE - 560 009 REPRESENTED BY ITS SECRETARY GENERAL, SRI M. LOKRAJ S/O MANICKAM MUNISWAMY, AGED ABOUT75YEARS. 2 . KARNATAKA DRUGS & PHARMACEUTICALS MANUFACTURERS ASSOCIATION38 BHARAT DELUXE APARTMENT, 44/1, A & B, FAIRFIELD LAYOUT, RACE COURSE ROAD, BANGALORE - 560 001 REPRESENTED BY ITS SECRETARY GENERAL, SRI GAJANAN CHANDRASHEKAR SASTRY S/O K.S.C SASTRY AGED ABOUT61YEARS - 3 7 - 3 . SRUSHTI PHARACEUTICALS PVT. LTD. 154, 10TH MAIN ROAD, PEENYA IIIRD PHASE, BANGALORE - 560 058 REPRESENTED BY ITS DIRECTOR, MR JATISH SHETH, S/O MR N.K. SHETH, AGED ABOUT67YEARS ...APPELLANTS (BY SRI SUBBA RAO G.S., ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER

OF THE LEARNED SINGLE JUDGE DATED2609.2023 IN WP No.13171/2023 BY ALLOWING THE WRIT APPEAL DISMISS THE WRIT PETITION FILED BY RESPONDENT No.1 AND2AND PASS AN

ORDER
TO RETAIN THE EXISTING REVISION OF MINIMUM WAGES & ETC.-. 3 8 - IN W.A. No.170 OF 2024 BETWEEN:

1. . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI) FEDERATION HOUSE, K G ROAD, BANGALORE - 560 009. REPRESENTED BY ITS SECRETARY GENERAL, SRI M LOKRAJ S/O MANICKAM MUNISWAMY AGED ABOUT75YEARS2. UNIX ENTERPRISES GROUND FLOOR, 80, MOSQUE ROAD, FRAZER TOWN BANGALORE - 560 005 REPRESENTED BY ITS PROPRIETOR SRI AZHAR PASHA S/O IQBAL PASHA AGED ABOUT36YEARS ...APPELLANTS (BY SRI SUBBA RAO G.S., ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 - 3 9 - REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
OF THE LEARNED SINGLE JUDGE DATED2609.2023 IN W.P. No.3643 OF 2023 BY ALLOWING THE WRIT APPEAL, DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS. 1 AND2AND PASS AN

ORDER
TO RETAIN THE EXISTING REVISION OF MINIMUM WAGES & ETC. IN W.A. No.177 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS ASSOCIATION HAVING ITS OFFICE AT: NO.74, 2ND FLOOR SHANAKRA ARCADE VANI VILAS ROAD, BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT, 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT. 2 . PRISM JOHNSON LIMITED TIME SQUARE319C3D FLOOR, KASTURI NAGAR MAIN ROAD, OPPOSITE NEW JANAPRIYA HOSPITAL KASTURI NAGAR, BENGALURU - 560 043 A COMPANY INCORPORATED UNDER THE COMPANIES ACT, 1956 ENGAGED IN SUPPLY OF READY MIX CONCRETE REPRESENTED BY ITS DEPUTY MANAGER HR AND ADMIN (SOUTH ZONE1&

3) SRI GADILINGA M. ...APPELLANTS (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) - 4 0 - AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER

DATED1210/2023 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. No.22430/2023(L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT - 1 AND2 IN W.A. No.216 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCIATION HAVING ITS OFFICE AT: NO.74, 2ND FLOOR, SHANKARA ARCADE VANI VILAS ROAD BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT - 4 1 - 2 . HANDIMAN SERVICES LIMITED NO.12/2, HAUDIN ROAD YELLAPPA CHETTY LAYOUT SHIVAN CHETTI LAYOUT SHIVAN CHETTI GARDENS ULSOOR, BENGALURU - 560 042 A COMPANY INCORPORATED UNDER THE COMPANIES ACT, 1956 THE COMPANY PROVIDES HOUSEKEEPING SERVICES GARDENING ETC. TO VARIOUS COMPANIES REPRESENTED BY ITS MANAGING DIRECTOR SRI PORUS IRANNI. ...APPELLANTS (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED - 4 2 - 26/09/2023 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. NO.3621/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE

RESPONDENT-1 AND2 IN W.A. No.316 OF 2024 BETWEEN:

1. . PRIVATE HOSPITALS AND NURSING HOME ASSOCIATION NO166, MILLER TANK BUND ROAD, VASANTHNAGAR, BANGALORE - 560 052 AN ASSOCIATION OF PRIVATE HOSPITALS AND NURSING HOMES, REGISTERED UNDER THE KARNATAKA SOCIETIES REGISTRATION ACT,1960 REPRESENTED BY ITS PRESIDENT DR. GOVINDAIAH YATHEESH. ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS - 4 3 - (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED1010.2023 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. No.22452/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT1AND2 IN W.A. No.413 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCIATION HAVING ITS OFFICE AT: No.74, 2ND FLOOR, SHANKARA ARCADE VANI VILAS ROAD, BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT2. PHARMED LIMITED HAVING ITS OFFICE AT: SATTVA MINDCOMP TECH PARK, GROUND FLOOR, OFFICE-1, 149-A, EPIP II PHASE,

WHITEFIELD INDUSTRIAL AREA, BENGALURU - 560 066. A COMPANY INCORPORATED UNDER THE COMPANIES ACT, 1956 REPRESENTED THROUGH ITS SENIOR EXECUTIVE, VICE PRESIDENT - H.R. DR. UMMER S.S. BEEJADAKATTE. ...APPELLANTS (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, - 4 4 - BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & 2, SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED1010.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP No.22543/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT1AND2 IN W.A. No.438 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS ASSOCIATION HAVING ITS OFFICE AT: No.74, 2ND FLOOR, SHANKARA ARCADE, VANI VILAS ROAD, BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) - 4 5 - AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN,

VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED2609/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.13171/2023 AND CONSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENTS-1 AND2 IN W.A. No.502 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCATION HAVING ITS OFFICE AT: No.74, 2ND FLOOR, SHANKARA ARCADE, VANI VILAS ROAD, BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER - 4 6 - THE TRADE UNIONS ACT 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT. ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE

THE

ORDER
DATED2609/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.13409/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENTS-1 AND2 - 4 7 - IN W.A. No.511 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCIATION HAVING ITS OFFICE AT: No.74, 2ND FLOOR, SHANKARA ARCADE VANI VILAS ROAD, BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT, 1926 RERPESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) - 4 8 - THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED2609.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP No.13464/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND2 IN W.A. No.533 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCIATION HAVING ITS OFFICE AT: NO74 2ND FLOOR, SHANKARA ARCADE VANI VILAS ROAD, BENGALURU - 560 004

AN ASSOCIATION REGISTERD UNDER THE TRADE UNIONS ACT,1926 REPRESENTED THRUOGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 - 4 9 - REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED2609.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP No.13527/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND2 IN W.A. No.542 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS ASSOCIATION HAVING ITS OFFICE AT: NO74 2ND FLOOR, SHANKARA ARCADE, VANI VILAS ROAD, BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNION ACT 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT. ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN,

VYALIKAVAL, G.D. PARK EXTENSION, - 5 0 - BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED2609.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP No.13304/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND2 IN W.A. No.543 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCIATION HAVING ITS OFFICE AT: NO74 2ND FLOOR, SHANKARA ARCADE VANI VILAS ROAD, BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY - 5 1 - 2 . ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE

THE

ORDER
DATED2609.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP No.13441/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT1AND2 IN W.A. No.545 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCIATION HAVING ITS OFFICE AT: NO74 2ND FLOOR, SHANKARA ARCADE VANI VILAS ROAD, BENGALURU-560004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) - 5 2 - AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REPRESENTED BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REPRESENTED BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ITS ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED2609/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.13163/2023 AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENTS-1 AND2 IN W.A. No.553 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCATION HAVING ITS OFFICE AT, - 5 3 - No.74, 2ND FLOOR, SHANKARA ARCADE, VANI VILAS ROAD, BENGALURU -

560 004. AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT, 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL, SRI SEETHARAM BHAT. ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ITS ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED2609.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP No.13150/2023 (L-MW) AND DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND2 - 5 4 - IN W.A. No.565 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS ASSOCIATION HAVING ITS OFFICE AT: NO.74, 2ND FLOOR, SHANAKRA ARCADE VANI VILAS ROAD, BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNION ACT 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN,

VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ITS ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) - 5 5 - THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED2609/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.13172/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS.1 AND2 IN W.A. No.567 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCIATION HAVING ITS OFFICE AT: No.74, 2ND FLOOR, SHANKARA ARCADE VANI VILAS ROAD, BENGALURU - 560 004, AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT, 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT. ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, - 5 6 - BENGALURU - 560 001 REP. BY ITS ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED

U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED2609/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.13447/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS.1 AND2 IN W.A. No.570 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCATION HAVING ITS OFFICE AT: No.74 2ND FLOOR, SHANKARA ARCADE, VANI VILAS ROAD BENGALURU - 560 004, AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT, 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT. ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, - 5 7 - BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ITS ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO ASIDE THE

ORDER
DATED2609.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP No.13153/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND2 IN W.A. No.572 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCIATION HAVING ITS OFFICE AT: NO.74, 2ND FLOOR, SHANKARA ARCADE VANI VILAS ROAD, BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY - 5 8 - 2 . ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ITS ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED2609/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.13121/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS.1 AND2 IN W.A. No.573 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCIATION HAVING OFFICE AT NO.74,2ND FLOOR, SHANKARA ARCADE VANI VILAS ROAD, BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT 1926 REPRESENTED BY ITS SECRETARY GENERAL SRI SEETHARAM BHAT ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) - 5 9 - AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ITS ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED1010/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.22481/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS.1 AND2 IN W.A. No.574 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCIATION HAVING ITS OFFICE AT: NO.74, 2ND FLOOR, SHANKARA ARCADE VANI VILAS ROAD, - 6 0 - BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI,

BENGALURU - 560 001 REP. BY ITS ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED1210.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP No.22994/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND2 - 6 1 - IN W.A. No.575 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCIATION HAVING ITS OFFICE AT: NO.74, 2ND FLOOR, SHANKARA ARCADE VANI VILAS ROAD, BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ITS ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) - 6 2 - THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER

DATED2609/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.3625/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NO.1 AND2 IN W.A. No.576 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCIATION HAVING ITS OFFICE AT: NO.74, 2ND FLOOR, SHANKARA ARCADE VANI VILAS ROAD, BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, - 6 3 - BENGALURU - 560 001 REP. BY ITS ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED1010.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP No.22425/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No-1 AND2 IN W.A. No.577 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCIATION HAVING ITS OFFICE AT: NO.74, 2ND FLOOR, SHANKARA ARCADE VANI VILAS ROAD, BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR

ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, - 6 4 - G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ITS ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED1010/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.22419/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS.1 AND2 IN W.A. No.578 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCIATION HAVING ITS OFFICE AT: NO.74, 2ND FLOOR, SHANKARA ARCADE VANI VILAS ROAD, BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, - 6 5 - BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT

OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ITS ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED2609.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP No.3643/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND2 IN W.A. No.579 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCIATION HAVING ITS OFFICE AT: NO.74, 2ND FLOOR, SHANKARA ARCADE VANI VILAS ROAD, BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) - 6 6 - AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ITS ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER

DATED1010/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.22471/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS.1 AND2 IN W.A. No.580 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCIATION HAVING ITS OFFICE AT: NO.74, 2ND FLOOR, SHANKARA ARCADE VANI VILAS ROAD, BENGALURU - 560 004 - 6 7 - AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ITS ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED1010.2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP No.22540/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND2 - 6 8 - IN W.A. No.581 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCIATION HAVING ITS OFFICE AT: NO.74, 2ND FLOOR, SHANKARA ARCADE VANI VILAS ROAD, BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT

1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ITS ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) - 6 9 - THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED1010/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.22560/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS.1 AND2 IN W.A. No.583 OF 2024 BETWEEN:

1. . KARNATAKA EMPLOYERS' ASSOCIATION HAVING ITS OFFICE AT: NO.74, 2ND FLOOR, SHANKARA ARCADE VANI VILAS ROAD, BENGALURU - 560 004 AN ASSOCIATION REGISTERED UNDER THE TRADE UNIONS ACT 1926 REPRESENTED THROUGH ITS SECRETARY GENERAL SRI SEETHARAM BHAT ...APPELLANT (BY SRI S.S. NAGANAND, SENIOR ADVOCATE A/W SRI B.C. PRABHAKAR, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN,

VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, - 7 0 - BENGALURU - 560 001 REP. BY ITS ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 & SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
DATED2609/2023 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.3665/2023 (L-MW) AND SUBSEQUENTLY DISMISS THE WRIT PETITION FILED BY THE RESPONDENT NOS.1 AND2 IN W.A. No.644 OF 2024 BETWEEN:

1. . FEDERATION OF KARNATAKA CHAMBERS OF COMMERCE AND INDUSTRY (FKCCI) FEDERATION HOSUE, K G ROAD BANGALORE - 560 009 REPRESENTED BY ITS SECRETARY GENERAL SRI M LOKRAJ S/O MANICKRAM MUNISWAMY AGED ABOUT75YEARS2. KARNATAKA FILM CHAMBER OF COMEMRCE No.28, 1ST MAIN, CRESCENT ROAD BANGALORE - 560 001 REPRSENTED BY ITS SECRETARY R SUNDAR RAJU S/O LATE G RAJANNA AGED ABOUT58YEARS ...APPELLANTS (BY SRI SUBBA RAO G.S., ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, - 7 1 - BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. THE STATE OF KARNATAKA DEPARTMENT OF LABOUR, VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B.

NARAYANA SWAMY, ADVOCATE FOR R-1, SRI V.R. DATAR, ADVOCATE FOR R-2 &, SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER
OF THE LEARNED SINGLE JUDGE DATED1010.2023 IN WP No.22471/2023 BY ALLOWING THE WRIT APPEAL, DISMISS THE WRIT PETITION FILED BY THE RESPONDENT No.1 AND2PASS AN

ORDER
TO RETAIN THE EXISTING REVISION OF MINIMUM WAGES. IN W.A. No.905 OF 2024 BETWEEN:

1. . AMRUT DISTILLERIES LIMITED A COMPANY REGISTERED UNDER THE COMPANIES ACT 2013 HAVING ITS REGISTERED OFFICE AT: NO.36, SAMPANGI TANK ROAD, BANGALORE - 560 027 REPRESENTED BY ITS MANAGING DIRECTOR - 7 2 - MR.RAKSHIT JAGDALE AGED ABOUT46YEARS ...APPELLANT (BY SRI HIREMATH PRAVEENKUMAR APPAYYA, ADVOCATE) AND:

1. . ALL INDIA TRADE UNION CONGRESS (R), KARNATAKA STATE COMMITTEE, NO.6, SIRUR PARK ROAD, SHESHADRIPURAM, BENGALURU - 560 020 REP. BY ITS GENERAL SECRETARY2. ENGINEERING AND GENERAL WORKERS UNION (R) BENGALURU DISTRICT, GHATE BHAVAN, VYALIKAVAL, G.D. PARK EXTENSION, BENGALURU - 560 003, REP. BY ITS GENERAL SECRETARY3. STATE OF KARNATAKA DEPARTMENT OF LABOUR, GOVERNMENT OF KARNATAKA VIKASA SOUDHA, 5TH FLOOR, DR. B.R. AMBEDKAR VEEDHI, BENGALURU - 560 001 REP. BY ITS ADDITIONAL CHIEF SECRETARY .... RESPONDENTS (BY SRI V. PRAKASH, SENIOR ADVOCATE A/W SRI K.B. NARAYANA SWAMY, ADVOCATE FOR R-1 & 2, SMT. NILOUFER AKBAR, AGA FOR R-3) THIS WRIT APPEAL FILED U/S4OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE

ORDER

OF THE LEARNED SINGLE JUDGE DATED2609.2023 IN WP No.13143/2023 BY ALLOWING THE WRIT APPEAL. THESE WRIT APPEALS HAVING BEEN HEARD AND RESERVED FOR

JUDGMENT
, COMING ON FOR PRONOUNCEMENT THIS DAY,

JUDGMENT
WAS PRONOUNCED AS UNDER: - 7 3 - CORAM: HON'BLE THE CHIEF JUSTICE MR. JUSTICE N.V. ANJARIA and HON'BLE MR JUSTICE K.V. ARAVIND C.A.V.

JUDGMENT
(PER: HON'BLE THE CHIEF JUSTICE MR. JUSTICE N.V. ANJARIA) In all the captioned appeals, 52 in numbers, not only common facts and identical issues are involved, also all the appellants have challenged the same judgment and order of learned Single Judge dated 26th September 2023 passed in writ petition No.3632 of 2023. Therefore, all the appeals which were heard together, are treated simultaneously by this common order for their disposal.

2. Similarly as in the case of first captioned writ appeal No.23 of 2024 where the appellant is an association of employers registered as Trade Union under the Trade Unions Act, 1926, in all other appeals also the appellants are employers or the association of employers representing the employers. All these appellants were not party to the main proceedings of writ petition decided by learned Single Judge. The respective applications filed by them for leave to appeal - 7 4 - were granted by this Court as per order dated 2nd August 20024 and they were permitted to prosecute their appeals. 2.1 As per the impugned judgment and order which is a common challenge, learned Single Judge set aside Notification dated 28th July 2022 issued by the Government under Section 3(1)(b) read with Section 5(1)(b) of the Minimum Wages Act, 1948, whereby the minimum rates of wages for the employments in the Foundry-with or without machine shop, came to be revised. 2.2 After setting aside the said Notification, learned Single Judge directed thus, The respondent shall redo the Notification impugned in the writ petition following strictly the procedure and norms fixed by the Honble Apex Court in the

case of Reptakos Brett in determining the rates of wages. The redone Notification will be given effect from 28th July 2022.

2.3 The Government was directed to complete the entire process within an outer limit of two months.

3. Before adverting to the controversy, the case in the original petition filed by two Trade Unions of the employees namely All India Trade Union Congress (R), Karnataka State Committee, and Engineering & General Works Union, - 7 5 - Bengaluru, may be noticed in brief. The prayer was advanced by the said employees Unions to set aside the abovementioned Notification dated 28th July 2022 fixing the rates of minimum wages for the workers in accordance with guidelines prescribed by the Honble Supreme Court in Workmen vs. Reptakos Brett & Co. Ltd. [(1992) 1 SCC290. 3.1 It was contended inter alia that both the petitioner Unions were concerned in relation to the fixation of rates of minimum wages for their member workers in the scheduled employments, that the fixation of rates of minimum wages is of statutory character and that guidelines are prescribed by the Supreme Court in Reptakos Brett (supra). Section 3 of the Minimum Wages Act, 1948 (hereinafter the Act), deals with fixation of new rates of wages and Section 4 which is about minimum rate of wages, came to be relied on, to submit that the provisions thereof would cover fixation of minimum rates of wages for the first time as well as periodical review thereof. 3.2 With regard to the challenge to the Notification dated 28th July 2022, it was the case sought to be elaborated by the petitioners that the rates of minimum wages proposed in the draft Notification did not have scientific or realistic basis and that no data was collected from the market survey in respect of - 7 6 - food items essential for calorie requirements. It was contended that the revision of rates of minimum wages by adding 5% to 10% over the rates fixed in the earlier Notification of 2015-16 was unacceptable and was arbitrary, contending further that the principles stated in Reptakos Brett (supra) were not followed while issuing Notification. 3.3 At this stage, the decision in Reptakos Brett (supra) of the Supreme Court may be noticed. The said decision arose from the decision of the Industrial Tribunal. The Reptakos Brett & Company Limited was engaged in the manufacture of pharmaceutical and dietetic speciality products and it had provided the slab

system for dearness allowance, meaning thereby that the dearness allowance paid to the employees was linked to the cost of living index as well as the basic wages. The scheme was included in the settlement arrived between the Company and the workmen. 3.3.1 The dispute arose between the employer and the workmen in relation to the said subject matter and one of the issue addressed by the Tribunal was whether the demand of the management for restructuring of the dearness allowance was justified, if so, to frame a scheme. The Tribunal decided the issue in favour of the Company, and abolished the slab - 7 7 - system of dearness allowance and directed that the future dearness allowance in the Company be linked only to the cost of living index. 3.3.2 The Supreme Court held that the Tribunal was not justified in abolishing the slab system for D.A. which had operated in the Company for long 30 years and that there was no material on record to show that what was paid by the Company was higher than what would be required in view of the concept of need based minimum wage. It was held that the scheme cannot be allowed to be devised to the prejudice of the workmen on mere ground that the scheme resulted in over- neutralisation placing the workmen Union at higher wage level. 3.3.3 It was held that an employer is obliged to pay minimum wages to the employees and that the wage structure should approximately answer to six components, which was laid by the Supreme Court to be as under, (i) In calculating the minimum wage, the standard working class family should be taken to consist of 3 consumption units for one earner; the earnings of women, children and adolescents should be disregarded. (ii) Minimum food requirement should be calculated on the basis of a net intake of calories, as recommended by Dr Aykroyd for an average Indian adult of moderate activity.-. 7 8 - (iii) Clothing requirements should be estimated at per capita consumption of 18 yards per annum which would give for the average workers' family of four, a total of 72 yards. (iv) In respect of housing, the rent corresponding to the minimum area provided for under Government's Industrial Housing Scheme should be taken into consideration in fixing the minimum wage. (v) Fuel, lighting and other miscellaneous items of expenditure should constitute 20 per cent of the total minimum wage. (vi) Children's education, medical requirement minimum recreation including festivals/ ceremonies and provision for old age marriages etc. should further constitute 25 per cent of the total minimum wage.

4. Heard learned Senior Advocate Mr. S. S. NAGANAND for learned advocate Mr. B. C. Prabhakar for the appellants in Writ Appeal Nos.23 of 2024, 78 of 2024, 87 of 2024, 88 of 2024, 148 of 2024, 165 of 2024, 177 of 2024, 216 of 2024, 316 of 2024, 413 of 2024, 438 of 2024, 502 of 2024, 511 of 2024, 533 of 2024, 542 of 2024, 543 of 2024, 545 of 2024, 553 of 2024, 565 of 2024, 567 of 2024, 570 of 2024, 572 of 2024, 573 of 2024, 574 of 2024, 575 of 2024, 576 of 2024, 577 of 2024, 578 of 2024, 579 of 2024, 580 of 2024, 581 of 2024, 583 of 2024, learned Senior Advocate Mr. K. Kasturi, for learned advocate Smt. Subha Ananthi K. for appellant in Writ - 7 9 - Appeal No.161 of 2024, learned advocate Mr. G.S. Subba Rao, for appellant in Writ Appeal Nos.53 of 2024, 54 of 2024, 82 of 2024, 90 of 2024, 92 of 2024, 93 of 2024, 94 of 2024, 107 of 2024, 113 of 2024, 139 of 2024, 141 of 2024, 142 of 2024, 156 of 2024, 159 of 2024, 160 of 2024, 162 of 2024, 166 of 2024, 170 of 2024, 644 of 2024, learned advocate Mr. Hiremath Praveen Kumar Appayya, for appellant in Writ Appeal No.905 of 2024, learned Senior Advocate Mr. V. Prakash for learned advocate Mr. K. B. Narayanaswamy, for respondent Nos.1 and 2 in Writ Appeal Nos.23 of 2024, 53 of 2024, 54 of 2024, 87 of 2024, 93 of 2024, 107 of 2024, 142 of 2024, 162 of 2024, 216 of 2024, 413 of 2024, 905 of 2024 and for respondent No.1 in Writ Appeal Nos.78 of 2024, 82 of 2024, 88 of 2024, 90 of 2024, 92 of 2024, 113 of 2024, 139 of 2024, 141 of 2024, 148 of 2024, 156 of 2024, 159 of 2024, 160 of 2024, 161 of 2024, 165 of 2024, 166 of 2024, 170 of 2024, 177 of 2024, 316 of 2024, 438 of 2024, 502 of 2024, 511 of 2024, 533 of 2024, 542 of 2024, 543 of 2024, 545 of 2024, 553 of 2024, 565 of 2024, 567 of 2024, 570 of 2024, 572 of 2024, 573 of 2024, 574 of 2024, 575 of 2024, 576 of 2024, 577 of 2024, 578 of 2024, 579 of 2024, 580 of 2024, 581 of 2024, 583 of 2024, 644 of 2024, learned advocate Mr. V. R. Datar for respondent No.2 in Writ Appeal Nos.78 of - 8 0 - 2024, 82 of 2024, 88 of 2024, 90 of 2024, 92 of 2024, 113 of 2024, 139 of 2024, 141 of 2024, 148 of 2024, 156 of 2024, 159 of 2024, 160 of 2024, 161 of 2024, 165 of 2024, 166 of 2024, 170 of 2024, 177 of 2024, 316 of 2024, 438 of 2024, 502 of 2024, 511 of 2024, 533 of 2024, 542 of 2024, 543 of 2024, 545 of 2024, 553 of 2024, 565 of 2024, 567 of 2024, 570 of 2024, 572 of 2024, 573 of 2024, 574 of 2024, 575 of 2024, 576 of 2024, 577 of 2024, 578 of 2024, 579 of 2024, 580 of 2024, 581 of 2024, 583 of 2024, 644 of 2024 and learned Additional Government Advocate Smt. Niloufer

Akbar for respondent No.3 in all Writ Appeals, at length. 4.1 Following main submissions were raised by learned Senior Advocate for the appellants, (i) When the State Government published the Notification dated 28th July 2022 in terms of Section 5(1)(b) of the Act, under said provision the appropriate Government had discretion to follow the procedure of Committee method contemplated in Section 5(1)(a) or Advisory Board method under Section 5(1)(b). While fixing the minimum wages for the first time, procedure under Section 5(1)(a) for data collection is followed, whereas for revision - 8 1 - of minimum wages, Advisory Board method under Section 5(1)(b) came to be followed. (ii) It was demonstrated from the record that the appellant-employers Union had made representations and they submitted their suggestions and objections before the Advisory Board at its different meetings. However, in the writ petition, they are not made parties by the employees Union who got set aside the Notification in absence of the appellants and without the version of the employers appreciated by learned Single Judge. (iii) In the entire exercise, the employers Association are a necessary stakeholders. They had no opportunity to put forward their case in the writ petition which resulted into setting aside of the Notification dated 28th July 2022. (iv) It is the practice to allow the participation of all stakeholders such as employees, employers Association and the Government who have interest in the subject, while undertaking process of fixation - 8 2 - of minimum wages and consequential issuance of Notification. (v) The decision of the Delhi High Court in Federation of Okhla Industries Association vs. Lt. Governor of Delhi [(2018) III LLJ622Delhi]., in which in respect of adopting the procedure under either Section 5(1)(a) or Section 5(1)(b) of the Act was highlighted. (vi) The minimum wages in Karnataka is highest compared to the neighbouring States and that the minimum wage is applicable to both small and big industries uniformaly, therefore, care should be taken to ensure that the viability of small industries is not affected while fixing the minimum wages. (vii) It was elaborated that the decision of the Honble Supreme Court Reptakos Brett (supra), was not strictly on the subject matter dispute in as much as it related to the linkage of D.A. with minimum wages fixation adopted as slab system by the employer company. In the present case, the petitioners-Trade Unions have been asking for living - 8 3 - wage. The living wage or fair wage is distinct concept and have different connotation than minimum wage. 4.2 On the other hand, learned

Senior Advocates for the respondents-original petitioners submitted that the guidelines laid down by the Apex Court in the decision in Reptakos Brett (supra), are required to be followed and that the learned Single Judge was entire justified in remitting the matter back for redoing the Notification. It was further submitted that, Section 3 and Section 5 of the Act do not make distinction between fixing and revising the wages which are defined in Section 2(h) of the Act. It was submitted that issuance of Notification was a legislative function. 4.2.1 Reliance was placed on the decision of the Supreme Court in English Newspaper (Private) Ltd. vs. Union of India [AIR 1958 SC578. From the said decision, learned Senior Advocate referred to the observations in paragraph 67 to highlight that the fair wage was a mean between the living wage and the minimum wage and even the minimum wage is something more than the bare minimum or subsistence wage. He next highlighted from paragraph 73 of the judgment the principles which may govern the fixation of rates of wages.-. 8 4 - 4.2.2 It was vehemently contended that Notification under Section 5(1) of the Act is a function in legislative nature, therefore giving hearing was not necessary. It was sought to be submitted that natural justice have no room in the process and therefore learned Single Judge could well consider the challenge to the Notification even in absence of the side of employers. 4.2.3 Learned Senior Advocates finally submitted that the employers have no say in the process. Therefore, they were neither the proper or necessary parties in the proceedings of the writ petition before the learned Single Judge, it was submitted.

5. One of the contentions sought to be raised on behalf of the original petitioners-respondents was that Notification dated 28th July 2022 issued under Section 5(1)(b) of the Act was a legislative act and that since it was a legislative act, principles of natural justice would not apply. Examining the above contention and disposing of the same at the outset, it has to be observed that even as the Notification under Section 5(1)(b) could be viewed as a piece of subordinate legislation as an ultimate product, the process leading to issuance thereof is a - 8 5 - blend of statutory exercise leading to the Notification. The exercise of statutory powers is under Section 5(1)(b) and that has to be in reasonable manner. 5.1 In the above context, when the exercise is under Section 5 of the Act which deals with the procedure for fixing and revising the minimum wages, the said provision

may be looked at closely. It would be immediately clear that the class of employers are interested parties. Section 5 of the Act reads as under, 5. Procedure for fixing and revising minimum wages.- (1) In fixing minimum rates of wages in respect of any scheduled employment for the first time under this Act or in revising minimum rates of wages so fixed, the appropriate Government shall either- (a) appoint as many committees and sub-committees as it considers necessary to hold enquiries and advise it in respect of such fixation or revision, as the case may be, or (b) by notification in the Official Gazette, publish its proposals for the information of persons likely to be affected thereby and specify a date, not less than two months from the date of the notification, on which the proposals will be taken into consideration. (2) After considering the advice of the committee or committees appointed under clause (a) of sub-section (1), or as the case may be, all representations received by it - 8 6 - before the date specified in the notification under clause (b) of that sub-section, the appropriate Government shall, by notification in the Official Gazette, fix, or, as the case may be, revise the minimum rates of wages in respect of each scheduled employment, and unless such notification otherwise provides, it shall come into force on the expiry of three months from the date of its issue: Provided that where the appropriate Government proposes to revise the minimum rates of wages by the mode specified in clause (b) of sub-section (1), the appropriate Government shall consult the Advisory Board also.

5.1.1 The present exercise leading to the Notification fixing the wages came to be issued pursuant to exercise under Section 5(1)(b) of the Act as above. The said provision inter alia requires the approval of the Government to publish proposals for the information of persons likely to be affected thereby. The class of the employers indeed is a class who would be the stakeholders, interested party and affected group. 5.1.2 Furthermore, when Section 7 of the Act which deals with Advisory Board and Section 8 is about Central Advisory Board, as well as Section 9 providing for composition of the Committees, etc. contemplates that the Advisory Board would consist of persons nominated would be representing the employers also, and not only the employees. This is for the - 8 7 - obvious reason that the class of the employers is a stakeholder and a party who would be affected as their obligations would arise as an end result of the exercise of fixing and revising the

minimum wages. When it is a question of revising the minimum wages, variety of factors would govern the ultimate act of issuance of Notification and incorporating the conditions and stipulations therein, in which, it is legitimate to conclude, that the employers should have their say and the stand. 5.1.3 The Notification in question precedes a statutory process in terms of Section 5(1)(b) of the Act. The principles of natural justice cannot be viewed to be foreign to such statutory exercise. The answer is available from the nature of provision and the stipulations contained therein, making the employers part of the exercise as stakeholders. 5.2 Not giving hearing to the appellants who are the employers and the stakeholders who would suffer the impact of the Notification, will render the exercise and the ultimate result to be unjust and in that sense arbitrary. 5.3 In Indian Express Newspaper (Bombay) Pvt. Ltd. vs. Bennett Coleman and Co. Ltd. [AIR 1986 SC515, the Supreme Court had an occasion to observe that although the - 8 8 - power to grant exemption under Section 25 of the Customs Act, 1962, is a legislative power and a Notification issued by the Government thereunder amounts to a piece of subordinate legislation, even then, the Notification is liable to be questioned on the ground that it is unreasonable one. 5.3.1 On the basis of the observations in Indian Express Newspaper (Bombay) Pvt. Ltd. (supra), it is possible to observe that the legislative action can be called in question on the ground that it is unreasonable or arbitrary. Following observations of the Supreme Court are to be highlighted, A piece of subordinate legislation does not carry the same degree of immunity which is enjoyed by a statute passed by a competent Legislature. Subordinate legislation may be questioned on any of the grounds on which plenary legislation is questioned. In addition it may also be questioned on the ground that it does not conform to the statute under which it is made. It may further be questioned on the ground that it is contrary to some other statute. That is because subordinate legislation must yield to plenary legislation. It may also be questioned on the ground that it is unreasonable, unreasonable not in the sense of not being reasonable, but in the sense that it is manifestly arbitrary. (para

73) 5.3.2 The Supreme Court in Indian Express Newspaper (Bombay) Pvt. Ltd. (supra), also highlighted with approval - 8 9 - the observations from an English decision in Mixnam Properties Ltd. vs. Chertsey U.D.C. [(1964 (1) QB214, The various special grounds on which subordinate legislation has sometimes been said

to be void can, I think, today be properly regarded as being particular applications of the general rule that subordinate legislation, to be valid, must be shown to be within the powers conferred by the statute. Thus, the kind of unreasonableness which invalidates a bye-law is not the antonym of reasonableness in the sense in which that expression is used in the common law, but such manifest arbitrariness, injustice or partiality that a court would say: Parliament never intended to give authority to make such rules; they are unreasonable and ultra vires...if the courts can declare subordinate legislation to be invalid for uncertainty as distinct from unenforceable... this must be because Parliament is to be presumed not to have intended to authorise the subordinate legislative authority to make changes in the existing law which are uncertain. (para

73) 5.4 In Vishakapatnam Port Trust and another vs. Ram Bahadur Takur Pvt. Ltd. [(1997) 4 SCC582, the Supreme Court in the context of the provisions of Sections 52, 53, 42(1) and 48(1) of the Major Port Trusts Act, 1963, dealing with the aspect of framing of scale of rights for trans-shipment and shipping of goods by Board, observed that though audi alteram partem was not to be observed as a rule for the parties affected by legislative action or action of a delegated legislative - 9 0 - authority imposing any tax, fee or charges, however when the statute obliges the government to consider modification in or cancellation of the existing rate of charges, court would be justified in directing the government to consider their representation and it would be appropriate in such cases to give personal hearing to the parties. 5.5 The unreasonableness may unfold itself in more than one ways including on account of non observance of principles of natural justice when party affected is sidelined in the process. 5.6 A kind of exception could be said to have been carved out by the Apex Court to provide hearing to the party affected by the exercise which is statutory in nature in its essence, but has a legislative shade in form of subordinate legislation as its end product. At the cost of repetition, it is to be stated that the Notification under Section 5 of the Minimum Wages Act, 1948 takes its shape only after a statutory exercise in terms of Section 5(1)(b) is undergone. 5.6.1 As noted above, the class of the employers could not be excluded from the zone, by any stretch of logic to treat them outsiders. The employers have definite interest in the exercise and giving hearing to them would not only be just and proper, - 9 1 - but would also make the statutory exercise just,

fair and reasonable. In this view, it has to be observed that the appellants were the necessary parties in the writ petition before the learned Single Judge. 5.7 The principles of natural justice and the rule of compliance thereof have been evolved to emerge as integral and fundamental part of process of decision making. These inherently embodied principles in the statutory or judicial sphere pervade to be applied where the decision is to ultimately affect rights, interest and obligations of any party, and when the decision may lead to any kind of civil consequences. In such cases and circumstances, whether this exercise is administrative, quasi-judicial, judicial or even has a trait of legislative exercise, a decision affecting a party has to precede right to hearing such party. All statutory exercises have to be reasonable leading to outcome fair and objective in law. This may be possible only if it has an intake of natural justice. 5.7.1 In Swadeshi Cotton Mills vs. Union of India [(1981) 1 SCC664, the Supreme Court observed that, the principles of natural justice are now considered so - 9 2 - fundamental as to be implicit in the concept of ordered liberty and, therefore, implicit in every decision making statutory function. It was observed that, the rule of fair play must not be jettisoned except in very exceptional circumstances where compulsive necessity so demands. The court must make every effort to salvage this cardinal rule to the maximum extent possible, with situational modifications. But, the core of it must, however, remain, namely, that the person affected must have reasonable opportunity of being heard and the hearing must be a genuine hearing and not an empty public relation exercise. 5.8 While applying any law or in operation of law or statutory provision, when civil consequences entail on a party or the final decision that comes out to operate adverse or it concerns a stakeholder or where stakeholding party has interest in it, right to be heard become implicit to lend the process and the decision a reasonability and legal legitimacy. In that way, natural justice and principles conceptualizing natural justice have brooding omnipresence. Non-compliance of this facet of obligation of law would render the exercise, the process and the resultant decision to be unreasonable and arbitrary in that sense. A proposition may not be incorrect if it is observed that - 9 3 - even in respect of statutory exercise leading to legislative piece or product, the right to hearing to the interested or affected person or party should be availed, and for that matter observance the principles of natural justice may not be always alien, in the

statutory exercise while preceded. 5.8.1 Therefore, even if the Notification under Section 5(1) of the Minimum Wages Act, 1948 is perceived to be a subordinate legislative piece, there is no gainsaying that it preceded the statutory process. A flaw in the nature of unreasonableness on any count, in such process, has to be remedied. The statutory exercise has to be informed by tenets of fairness, reasonableness and for that purpose compliance of principles of natural justice by giving the party interested a hearing. 5.9 The appellant-employers were admittedly before the Advisory Committee. They raised their suggestions. When the Notification was challenged in the writ petition, the employees Unions-the petitioners did not make the employers party. As stated above, they are the interested category of persons to be affected. When they were before the Advisory Board in the proceedings before the Board, there are all good reasons that they ought to have been arraigned as party in the writ proceedings challenging the Notification. In the facts and - 9 4 - circumstances of the case and perceiving the controversy and issues involved, it has to be held that the appellant-employers are required to be treated at least proper parties and that they ought to have been heard.

6. As a result of the foregoing reasons and discussions, following order is passed, (i) The proceedings of writ petition are remitted back to the learned Single Judge for his decision afresh in accordance with law. (ii) While undertaking the exercise of deciding afresh, the appellants herein shall be permitted to put forward their case by filing reply. (iii) The appellants shall be given opportunity of hearing before final decision is rendered in the petition. (iv) The aforesaid exercise shall be completed by the learned Single Judge expeditiously and preferably within ten weeks, looking to the nature of the issue involved and its consequences.-. 9 5 - (v) The parties shall cooperate in early disposal of the petition. (vi) This Court has not gone into merits nor expressed anything on merits of the case of the either side which is to be reconsidered by learned Single Judge. Any observation in this order shall not be construed as of expression of opinion on merits. (vii) In order to enable learned Single Judge to undertake the aforesaid exercise of deciding the petition afresh, the judgment and order dated 26th September 2023 in writ petition No.3632 of 2023 is set aside.

7. All the appeals are partly allowed in the aforesaid terms and stand disposed of. Sd/- (N.V. ANJARIA) CHIEF JUSTICE Sd/- (K.V. ARAVIND) JUDGE AHB

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