IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH

DATED THIS THE 10TH DAY OF APRIL, 2023

PRESENT

THE HON'BLE MR JUSTICE R.DEVDAS

AND

THE HON'BLE MR JUSTICE RAJESH RAI K

WRIT APPEAL NO. 100192 OF 2023 (L-RES)

BETWEEN:

THE MANAGEMENT OF
KUWS AND DRINAGE BOARD DIVISION,
BALLARI R/BY ITS EXECUTIVE ENGINEER,
FORT, BALLARI.

...APPELLANT

(BY SRI. G I GACHCHINAMATH.,ADVOCATE)

AND:

1. H. RAMU S/O. KUMAR
AGED 53 YEARS, OCC. PRIVATE SERVICE,
R/O. NAGALKERE, NEAR ANJANEYA TEMPLE,
WARD NO.32, HOSPET ROAD,
BALLARI, DIST. BALLARI.

2. SULTHAN S/O. D. HONNURSAB
AGED ABOUT 54 YEARS, OCC. PRIVATE SERVICE,
R/O. MOKA VILLAGE (SHIVAPUR)
TQ. AND DIST. BALLARI.

3. B. MOHAMMAD BASHA S/O. B. MOHAMMADSAB
AGED ABOUT 57 YEARS, OCC. PRIVATE SERVICE,
R/O. JAMBUNATH ROAD, 5TH CROSS, 25TH WARD,
HOSPET POST, BALLARI.

4. H. MALLAIAH S/O. MANAPPA,
AGED 55 YEARS, OCC. PRIVATE SERVICE,

Digitally signed by MOHANKUMAR B SHELAR
Location: HIGH COURT OF KARNATAKA DHARWAD
Date: 2023.04.12 11:29:08 -0700

R/O. NAGALKERE, NEAR ANJANEYA TEMPLE,
WARD NO.32, HOSPET ROAD, BALLARI.

5. THIPPAYYA S/O. P. NAGANNA
AGED ABOUT 51 YEARS, OCC. PRIVATE SERVICE,
R/O. DANAPPA STREET, NEAR KAMADI STREET,
COWL BAZAAR, WARD NO.27, BALLARI.

6. T. RAJU S/O. HANUMANTHAPPA
AGED ABOUT 52 YEARS, OCC. PRIVATE SERVICE,
R/O. BHARATI NAGAR, 1ST CROSS, HOSPET,
DIST. BALLARI.

7. NARAYAN S/O. MUTHYALAPPA
AGED 53 YEARS, OCC. PRIVATE SERVICE,
R/O. INDIRA NAGAR, NEAR AMBEDKAR CIRCLE,
HOSPET, DIST. BALLARI.

8. K. CHALAPATHI AND OTHERS
REPPTRENTED BY KUWSDB CONTRACT EMPLOYEES
ASSOCIATION (REGD. NO.BD 04/97)
NO.58, REDDU STREET, BALLARI-583101
R/BY ITS PRESIDENT C. RAGHUNATH.

9. THE COMMISSIONER
BALLARI CITY CORPORATION, BALLARI.

10. THE COMMISSIONER
HOSPET CITY MUNCIPAL COUNCIL, HOSPET.

…RESPONDENTS

(BY SRI.LAXMAN T. MANTAGANI, ADV. FOR R1 TO R7,
SRI.RAVI HEGDE, ADV. FOR R8,
SRI.C.V.ANGADI, ADV. FOR R9,
SRI.V.M.SHEELVANT, ADV. FOR R10)

THIS WRIT APPEAL IS FILED U/S.4 OF KARNATAKA HIGH COURT ACT, 1961, PRAYING THIS HON BLE COURT TO SET ASIDE THE ORDER DATED 22.11.2022 PASSED BY THE LEARNED SINGLE JUDGE OF THIS HON BLE COURT IN W.P.NO.106347/2016 (L-RES) AND FURTHER TO DISMISS THE SAID WRIT PETITION.

THIS WRIT APPEAL COMING ON FOR ORDERS THIS DAY, **R.DEVDAS J.,** DELIVERED THE FOLLOWING:

JUDGMENT

R.DEVDAS J., (ORAL):

In view of the decision rendered in ***Management of Bharat Fritz Werner Ltd., Bangalore Vs. Bharat Fritz Werner Karmika Sangha, Bangalore*** reported in ***AIR ONLINE 2022 KAR. 4396***, this intra Court appeal challenging the order of the learned Single Judge arising out an award passed by the Labour Court is not maintainable. Accordingly, the writ appeal stands dismissed.

Needless to observe that if the decision rendered in the above case is set aside at the hands of the Hon'ble Supreme Court and it is held that such an intra Court appeal is maintainable, then liberty is reserved to the appellant herein to revive this case.

Sd/-
JUDGE

Sd/-
JUDGE

MBS
List No.: 1 Sl No.: 27