



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 19<sup>TH</sup> DAY OF JANUARY, 2023**

**BEFORE**

**THE HON'BLE MR JUSTICE SURAJ GOVINDARAJ**

**WRIT PETITION NO. 54871 OF 2017 (L-TER)**

**C/W**

**WRIT PETITION NO. 3090 OF 2018 (L-TER)**

**IN W.P. NO. 54871/2017**

**BETWEEN:**

MR ARVIND KUMAR A  
AGED ABOUT 31 YEARS  
S/O SRI R.ANAND,  
MUTHU NILAYAM,  
3<sup>RD</sup> MAIN ROAD, 4<sup>TH</sup> CROSS,  
'B' NARAYANAPUR  
BENGALURU-560 016.

...PETITIONER

(BY SRI. NAIK V S., ADVOCATE)

**AND:**

THE MANAGEMENT OF  
M/s. SAN ENGINEERING AND LOCOMOTICE CO LTD.  
REGD. OFFICE AND WORKS,  
POST BOX NO. 4802, WHITEFIELD ROAD,  
BENGALURU-560 048  
REPRESENTED BY ITS MANAGING DIRECTOR.

...RESPONDENT

(BY SRI. S.N. MURTHY, SENIOR COUNSEL FOR  
SRI. SOMASHEKAR., ADVOCATE)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227  
OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF  
CERTIORATI OR ANY OTHER APPROPRIATE WRIT, OR DIRECTION





QUASHING THE AWARD PASSED BY THE ADDL. LABOUR COURT, BENGALURU, IN I.D.NO.60/2012 DTD 01.08.2017 THE CERTIFIED COPY OF WHICH IS PRODUCED AND MARKED AS ANNEXURE-K TO THE EXTENT THE PETITIONER IS AGGRIEVED SINCE THE LABOUR COURT HAS COMMITTED ERRORS WHICH ARE APPARENT ON THE FACE OF THE RECORDS.

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**IN W.P. NO. 3090/2018**  
**BETWEEN:**

M/S SAN ENGINEERING AND LOCOMOTIVE  
CO LTD  
REGD OFFICE & WORKS, POST BOX NO.4802  
WHITEFIELD ROAD  
BANGALORE 560048  
REPRESENTED BY AUTHORIZED SIGNATORY  
SMT SHANTHI S (HEAD-HR & IR)

...PETITIONER

(BY SRI. S.N. MURTHY, SENIOR COUNSEL FOR  
SRI. SOMASHEKAR., ADVOCATE)

**AND**

MR ARAVIND KUMAR A  
EMPLOYMENT ID NO.3920  
ENGINEER PED  
RESIDING AT MUTHU NILAYAM  
3<sup>RD</sup> MAIN ROAD, 4<sup>TH</sup> CROSS  
'B' NARAYANAPURA  
BANGALORE 560016

...RESPONDENT

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI AND/OR ANY OTHER WRIT OR ORDER AND QUASH THE IMPUGNED AWARD DATED 01.08.2017 IN I.D.NO.60/12



BEFORE THE PRESIDING OFFICER, SECOND ADDITIONAL LABOUR COURT BANGALORE AT ANNEXURE 'J' TO THIS WRIT PETITION.

THESE WRIT PETITIONS COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, THE COURT MADE THE FOLLOWING:

**ORDER**

1. Both the counsel submitted that the dispute between the employer and the workman has been settled. The employer has agreed to make payment of sum of Rs.6,00,000/- in full and final settlement of all claims of the workman and Rs.2,50,000/- has already been paid, the balance of Rs.3,50,000/- would be paid on or before 6.2.2023.
2. Inview thereof, nothing further survives for consideration in the matter. However, the award passed by the II Additional Labour Court in ID No.60/2012 would be require to be substituted in terms of the settlement arrived at by the employer making payment of a sum of Rs.6,00,000/- out of which Rs.2,50,000/- has been paid, the balance of



Rs.3,50,000/- being payable on or before 6.2.2023.

The petitions disposed in terms of the compromise.

**Sd/-**  
**JUDGE**

SR  
List No.: 1 Sl No.: 17