HC-KAR
NC: 2026:KHC:55307-DB
WA No. 2046 of 2026
CNR: KAHC010611272026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 5TH DAY OF OCTOBER, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

WRIT APPEAL NO. 2046 OF 2026 (L-RES)

BETWEEN:

MR.INDUKANT DIXIT
SON OF SRI. SUDHAKAR DIXIT
AGED ABOUT 56 YEARS
PRESENT ADDRESS NO.3,
HOUSE NO. 24-01-75, GROUND FLOOR,
CHANDRA KUTEERA, K.E.B. CROSS ROAD,
OPPOSITE MESCOM, ATTAVARA,
MANGALURU 575 001, KARNATAKA.

PERMANENT ADDRESS
RAMESHWARAM COLONY
PLOT NO 4208,
SRI. RADHEKRISHNA GARDEN,
BARIYATU, BARIYATU POST,
RANCHI DISTRICT,
JHARKHAND STATE - 834 001.

...APPELLANT

(BY SMT. MAITREYI KRISHNAN, ADVOCATE FOR
SRI. PAVAN KUMAR.G.,ADVOCATE)

Digitally signed by MAI A K N
Location: HIGH COURT OF KARNATAKA

AND:

1. PRESS TRUST OF INDIA LIMITED
HAVING ITS REGISTERED OFFICE AT
PTI BUILDING 1ST FLOOR, NO.4,
PARLIAMENT STREET, NEW DELHI - 110 001.
REPRESENTED BY ITS CHIEF CORRESPONDENT
MR. KISHORE S U

(A COMPANY INCORPORATED UNDER THE COMPANIES ACT, 1956)

2. THE DEPUTY LABOUR COMMISSIONER
AND CONCILIATION OFFICER
HASSAN REGION, HASSAN 573 201.

…RESPONDENTS

(BY MR. M.B.JOSHI, ADVOCATE A/W
MR. ANURAG RANJAN, ADVOCATE AND
MS. SUMA NEB, ADVOCATE FOR
MS. ROOPA SRI.S.,ADVOCATE FOR R1;
SRI. S.H.RAGHAVENDRA, AGA FOR R2)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO CALL FOR THE RECORDS IN WRIT PETITION NO 17239/2026 (L-RES) AND GRANT THE APPELLANT THE FOLLOWING RELIEFS 1. SET ASIDE THE ORDER OF THE LEARNED SINGLE JUDGE DATED 31.07.2026 IN W.P NO 17239/2026 AND CONSEQUENTLY DISMISS THE WRIT PETITION IN THE ENTIRETY AND ETC.,

THIS APPEAL, COMING ON FOR PRELIMINARY HEARING, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
AND
HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present Writ Appeal has been filed impugning the Judgment and Order dated 31.07.2026 passed in Writ Petition No.17239 of 2026 (L-RES) filed by the respondent No.1 against the order dated 15.05.2026 passed by the

Deputy Labour Commissioner and Conciliation Officer, Hassan, whereby the applications of the respondent No.1/employer filed under Section 33(2)(b) of the Industrial Disputes Act, 1947 (**ID Act**) came to be rejected on the ground that the dispute regarding transfer of the appellant/workman, who was Journalist, was pending and therefore, the prior permission under Section 33(1)(b) of the ID Act should have been sought before inflicting the punishment of dismissal from service.

2. The Writ Court has examined the issue and has rightly come to the conclusion that no related dispute of dismissal from service was pending before the Tribunal or the Conciliation Officer. What was sought was the approval of punishment of dismissal from service after conducting the inquiry for the charges as contained in the charge sheet and therefore, the application filed under Section 33(2)(b) of the ID Act was a correct application and ought not to have been rejected on the ground that the

application ought to have been filed under Section 33(1)(b) of the ID Act.

3. We have looked into the charges. They are not related to the transfer of the appellant from Ranchi to Mangaluru. The charge sheet contains independent charges, which would be considered independently.

4. There is no dispute pending relating to the charges for which the appellant has been dismissed from service. The application under Section 33(1)(b) of the ID Act was not a proper application, but the application under Section 33(2)(b) of the ID Act was the proper application, which was filed by the respondent/employer. We are, therefore, of the view that the learned Single Judge has rightly set aside the order passed by the Conciliation Officer.

5. The learned Single Judge herself has allowed the application filed under Section 33(2)(b) of the ID Act,

instead of remanding the matter back to the Conciliation Officer.

6. We, therefore, partly allow this appeal and remand the matter back to the Deputy Labour Commissioner and Conciliation Officer, Hassan, to consider the application filed by the respondent No.1/employer under Section 33(2)(b) of the Industrial Disputes Act, seeking approval of the dismissal of the appellant/workman from the service, strictly in accordance with law.

7. With the aforesaid modification in the impugned order, we dispose of the appeal.

Pending I.A. stands disposed of.

Sd/-
(D K SINGH)
JUDGE

Sd/-
(H.SHANTHI BHUSHAN)
JUDGE

KNM/List No.: 1 Sl No.: 20