

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/LETTERS PATENT APPEAL NO. 125 of 2024****In****R/SPECIAL CIVIL APPLICATION NO. 17257 of 2023****With****CIVIL APPLICATION (FOR INTERIM RELIEF) NO. 1 of 2024****In R/LETTERS PATENT APPEAL NO. 125 of 2024**

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GUJARAT WATER SUPPLY AND SEWERAGE BOARD & ANR.**Versus****SITABEN JIVANJI THAKOR & ANR.**

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Appearance:**MR HS MUNSHAW(495) for the Appellant(s) No. 1,2****MS.SHRUTI DHRUVE, AGP for the Respondent(s) No. 2****MS ASHLESHA M PATEL(6127) for the Respondent(s) No. 1**

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CORAM: HONOURABLE MR. JUSTICE BIREN VAISHNAV**and****HONOURABLE MR. JUSTICE PRANAV TRIVEDI****Date : 27/02/2024****COMMON ORAL ORDER****(PER : HONOURABLE MR. JUSTICE BIREN VAISHNAV)**

1. In light of the order passed by the coordinate bench of this Court in Letters Patent Appeal No.150 of 2024 and allied appeals, present appeal is **ADMITTED** for the reasons stated in the order which is reproduced hereinbelow:

“Heard learned advocates for the respective parties.

2. The issue involved is whether the kiths and kins of a daily rated worker died in harness

would be entitled to the benefits of lumpsum compensation under the government Resolution dated 5.7.2011. 2.1 Learned single Judge has allowed the petition of the original petitioners.

3. In course of the hearing of the appeal, learned advocate for the appellants produced copy of order dated 9.2.2024 passed by the Supreme Court in Special Leave Petition (Civil) Diary No. 3576 of 2024 to submit that in the said Special Leave Petition, notice is issued and the order impugned before the Supreme Court is stayed.

3.1 It was undisputedly stated that the issue involved before the Supreme Court is the same as is involved in the present Letters Patent Appeals.

4. In that view, since in similar case the Supreme Court has granted stay, the present Letters Patent Appeals deserve to be admitted. The Appeals are admitted.

5. By way of ad-interim relief, it is directed that the appellantsoriginal respondents shall not be obliged to implement the directions of learned single Judge, to be subject to the final law, which may be laid down by the Supreme Court.”

2. For the reasons stated in the order quoted above,

by way of ad-interim relief, it is directed that the

appellants-original respondents shall not be

obliged to implement the directions of learned single Judge, to be subject to the final law, which may be laid down by the Supreme Court.

3. Civil Application stands disposed of.

(BIREN VAISHNAV, J)

ANKIT SHAH

(PRANAV TRIVEDI, J)