

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/MISC. CIVIL APPLICATION NO. 706 of 2026****In R/SPECIAL CIVIL APPLICATION/14828/2025**

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**SARDAR VALLABHBHAI PATEL INSTITUTE OF TECHNOLOGY THROUGH
ITS PRINCIPAL & ANR.**

Versus**CHETANKUMAR H SOLANKI & ORS.**

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Appearance:**MR CHINTAN ADESARA for****MR PA JADEJA(3726) for the Applicant(s) No. 1,2****MR KULDEEP VAIDYA for the Opponent No.1****HARSHESH R KAKKAD(7813) for the Opponent(s) No. 2****MR GH VIRK, GOVERNMENT PLEADER with****MS DHARITRI PANCHOLI, AGP with****MR VISHVESH PUJARA, AGP for the Opponent(s) No. 3,4**

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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL**Date : 07/04/2026****ORAL ORDER**

1. Heard learned advocate Mr. Chintan Adesara for learned advocate Mr. PA Jadeja for the applicants, learned advocate Mr. Kuldeep Vaidya for opponent No.1, learned advocate Mr. Harshesh Kakkad for opponent No.2 and at the request of this Court learned GP Mr. G.H.Virk with learned AGP Ms. Dharitri Pancholi have appeared for newly joined opponent Nos.3 and 4.

2. The present application had been preferred *inter alia* pointing out to this Court that though vide order dated 04.11.2025, in the main application, while disposing of the same, this Court had directed the learned Gujarat Education Institutional Services Tribunal to decide the Application Nos. 57 and 58 by 28.02.2026 and whereas, in the interregnum, vide an order dated 27.11.2025, both the members of the learned Tribunal, had taken a decision of not hearing the matter since there were allegations made against the members of the learned Tribunal.

3. Considering the peculiar situation since the Tribunal in question consists of only two members, and since none of the members were inclined to take up the matter, this Court has sought assistance of learned Government Pleader, and whereas learned Government Pleader, in addition to suggesting means whereby the State had shown its inclination even to constitute a special Tribunal for hearing the matter, had also suggested that since one of the applicant i.e. one of the original applicant before the learned Tribunal i.e. applicant of Original Application No.58 of 2023, had settled the dispute with the applicant-institution, more particularly, the applicant having been paid two months salary and leave encashment as a final settlement, therefore, the present applications could also be

sent to the Mediation Committee associated with this Court or the permanent Mediation Centre, associated with this Court for prime to resolve the dispute since the parties, that is an Asst. Professor with the institution and the institution have been fighting with each other since quite a long time.

4. Pursuant to such a suggestion, learned advocate Mr. Jadeja and learned advocate Mr. Vaidhya were directed to try and resolve the issue, more particularly, to seek instructions as to whether the applicant now remaining that is applicant Mr. Chentankumar Solanki would be inclined to settle the issue with the respondents, and whereas, the institution was also directed to find out whether the institution would be ready and willing to give some more amount, as a special case, then the amount given to the other applicant, that is Mr. Pratikkumar Parmar. Consequent to the direction of this Court, today learned advocates, have jointly submitted that the parties are ready to settle the issue inasmuch as the institution is ready and willing to pay four months salary to the applicant of Misc. Civil Application No.706 of 2026 whereas, learned advocate Mr. Vaidya under instructions of the employee, who is present in the Court submitted that the employee is seeking for atleast six months salary. Both the learned advocates have also submitted that they would abide by whatever decision this

Court would take.

5. Considering the submissions made by the parties, more particularly, since the parties are inclined to settle the issue and whereas the only dispute now remains as regards the final settlement amount, to this Court ends of justice would be met if the settlement amount is directed to be equivalent to five months salary, which is paid by the applicant-institution to the employee in question.

6. Learned advocate Mr. Adesara under instructions would submit that appropriate amount would be paid to the applicant through Account Payee Cheque by 15th April, 2026.

7. Learned advocate Mr. Vaidya would submit that since the applicant is being paid five months salary, he would request that the original application of the applicant pending before the Tribunal may be disposed of by this Court, more particularly, this Court itself may pass appropriate orders since now, none of the existing members have shown their disinclination to take up the matter.

8. Considering such a position, more particularly, since the entire dispute of the parties is now settled before this Court,

following directions would meet end of justice.

(i) The applicant-institution to pay settlement amount equivalent to five months salary and leave encashment as a final settlement to the applicant vide Account Payee Cheque by 15.04.2026. Along with the cheque, the applicant – institution shall provide appropriate experience and conduct certificate to the present applicant for any future employment which may be sought for by the applicant.

(ii) Application No.57 of 2023, pending before the learned Gujarat Educational Institutions Services Tribunal, is hereby disposed of as having become infructuous. The present application stands disposed of accordingly.

(NIKHIL S. KARIEL,J)

NAIR SMITA V./02/SB-II