

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 2681 of 2025**

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NAVINE FLOURINE INDUSTRIES LTD.

Versus

SHANTILAL R PATEL

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Appearance:

MR DIPAK R DAVE(1232) for the Petitioner(s) No. 1

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CORAM:HONOURABLE MRS. JUSTICE M. K. THAKKER**Date : 05/03/2025****ORAL ORDER**

Learned advocate Mr.Dave submits that the learned labour court has exercised the power under section 33(2)(b), learned labour court has exceeded the jurisdiction by holding that the punishment is disproportionate solely on the ground that the petitioner fails to establish the legality and validity of the inquiry and has rejected the approval application filed by the petitioner establishment. Learned advocate Mr.Dave submits that without prejudice to the rights and contention, petitioner is ready to deposit 50% of the back wages i.e. Rs.13,00,000/- with the Registry of this Court.

Learned advocate Mr.Dave further submits that as the respondent has approached before the learned labour

Commissioner for lodging of the prosecution and the petition is also filed before this Court being SCA No.16738 of 2024 seeking directions upon the Government Authority to lodge the prosecution.

In view of the above, let Notice be issued making it returnable on 11.03.2025.

Ad-interim, in terms of paragraph 8(B) is granted on a condition to deposit Rs.13,00,000/- within the Registry of this Court within a period of two weeks from today.

To be heard with SCA No.16738 of 2024.

Direct service is permitted.

(M. K. THAKKER,J)

NIVYA A. NAIR

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: NIVYA ABHAY NAIR(HC01901), PRIVATE SECRETARY, at High Court of Gujarat on 05/03/2025 16:48:33