

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 16738 of 2024****With****R/SPECIAL CIVIL APPLICATION NO. 2681 of 2025**

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SHANTILAL RAMJIBHAI PATEL

Versus

GOVERNMENT OF GUJARAT & ANR.

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Appearance:

MR MS MANSURI(1033) for the Petitioner(s) No. 1

MS RAJVI SHAH AGP for the Respondent(s) No. 1

MR DIPAK R DAVE(1232) for the Respondent(s) No. 2

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CORAM:HONOURABLE MR. JUSTICE DEVAN M. DESAI**Date : 23/06/2026****ORAL ORDER****Order in Special Civil Application 16738 of 2024**

1. Heard learned Advocate Mr. M. S. Mansuri for the petitioner on hybrid mode, learned AGP Ms. Rajvi Shah for the respondent No.1 and learned advocate Mr. Dipak R. Dave for the respondent No.2.

2. At the outset, learned advocate for the petitioner submits that the present petition is filed as the order of the learned Labour Court has not been implemented by the respondent herein, therefore, one of the prayers in the present petition is to initiate criminal prosecution against respondent company

and the Board of Directors.

3. *Per contra*, learned advocate Mr. Dipak Dave for the respondent No. 2 submits that the order of the learned Labour Court has been assailed by the respondent by way of Special Civil Application No. 2681 of 2025 and the Co-ordinate Bench of this Court has protected the respondent vide order dated 05.03.2025. He further submitted that in view of the impugned order being stayed by this Court, the present petition has become infructuous.

4. Considering the submissions of learned advocate for the petitioner that the prayer for initiating criminal prosecution was for non-compliance of the order and after the present petition is filed, the respondent has challenged the order of the learned Labour Court.

5. Having considered the facts of the case, the issue requires consideration. Hence, *Rule*.

6. Interim relief, granted earlier, to continue till then.

Order in Special Civil Application No. 2681 of 2025.

1. Heard learned advocates for the respective parties.
2. The issue requires consideration. Hence, *Rule*.
3. Interim relief, granted earlier, to continue till then.

(D. M. DESAI,J)

SHIVANI SHUKLA

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: SHIVANI SHUKLA(HC02350), ENGLISH STENO GRADE-II\, at High Court of Gujarat on 23/06/2026 17:57:14