

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 3390 of 2024**

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INDIAN RED CROSS SOCIETY

Versus

MAKWANA DEVASHIBHAI BADHABHAI & ORS.

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Appearance:

IG JOSHI(8726) for the Petitioner(s) No. 1

for the Respondent(s) No. 1,2,3

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CORAM:HONOURABLE MRS. JUSTICE MAUNA M. BHATT

Date : 28/02/2024

ORAL ORDER

1. Heard learned advocate Mr. I. G. Joshi for the petitioner. He submitted that the respondent – workman was appointed as Class-IV employees with respondent No. 2 – Government Hospital through petitioner on contract basis. The appointment was for a period of 6 months which was to be renewed from time to time. It is not the case of illegal termination, despite that the workman upon discontinuation raised dispute wherein the Labour Court, Rajkot awarded lumpsum compensation of RS.1,00,000/-. Learned advocate for the petitioner submitted that earlier for the very same appointment the workman raised dispute twice registered as Reference (LCR) No. 63 of 2016 and Reference (T) No. 08 of 2021 and they were rejected.

2. In support of his submissions, learned advocate for the

petitioner relying upon the decision of Hon'ble Supreme Court in the case of **Chairman and Managing Director, Fertilizers and Chemicals Travancore Limited and Another V/s. General Secretary, Fertilizers and Chemicals Travancore Employees Association and Others** reported in **(2019) 11 SCC 323** to submit that once the issue has been considered in the earlier round of litigation, re-examination of the same issue is not warranted.

3. Considering the submissions, issue **Notice** returnable on **08.04.2024**.

4. Ad-interim relief in terms of Para: 6(B) is granted till the next date of hearing.

Direct service is permitted.

(MAUNA M. BHATT,J)

SHRIJIT PILLAI