

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 5543 of 2020**

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GUJARAT WATER SUPPLY AND SEWERAGE BOARD, EXECUTIVE
ENGINEER

Versus

SHAMJI DEVKARAN VARCHAND

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Appearance:

RC JANI & ASSOCIATE(6436) for the Petitioner(s) No. 1

JEET Y RAJYAGURU(8039) for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE HEMANT M. PRACHCHHAK

Date : 25/02/2026

ORAL ORDER

1. Present petition is filed under Articles 226 and 227 of the Constitution of India seeking the following reliefs:-

- (A) YOUR LORDSHIPS may be pleased to admit and allow this petition.
- (B) YOUR LORDSHIPS may be pleased to issue writ of certiorari or a writ in the nature of certiorari or any other appropriate writ, order or direction quashing and setting aside order dated 19.10.2019 passed by the Learned Presiding Officer, Labour Court, Bhuj - Kutch in Reference L.C.B. No. 3 of 2014.
- (C) Pending admission, hearing and final disposal of this petition, YOUR LORDSHIPS may be pleased to stay and suspend implementation, execution and operation of order dated 19.10.2019 passed by the Learned Presiding Officer, Labour Court, Bhuj - Kutch in Reference L.C.B. No. 3 of 2014.
- (D) YOUR LORDSHIPS may be pleased to grant any other and

further reliefs as may be deemed fit and proper in the interest of justice.

2. Facts of the present case are that the respondent - workman was working with the petitioner as Unskilled Labourer and from 18.06.2010 the workman, without permission of the petitioner, stopped coming on duty till 08.10.2023 and remained absent for a period of three years and in the meantime, 8 notices including show-cause notice were served upon him, which were never responded. That on 08.10.2013, the workman was terminated from the services and after one month of the order of termination, the workman had issued demand notice, for which, the petitioner had given reply. It is alleged that the workman had filed Reference L.C.B. No. 3 of 2014 before the Labour Court, Bhuj at Kachchh which came to be allowed and directed the petitioner to reinstate the workman in service with continuity of service.

3. Being aggrieved, the petitioner has preferred the present petition.

4. Heard learned counsel appearing for the respective parties. Perused the material on record. Learned counsel for the respondent has tendered a copy of the letter dated 29.01.2026 with regard to resuming the duty, which is taken on record.

5. Having considered the submissions of both the sides and perused the impugned order, it appears that the Labour Court has allowed the reference and directed the petitioner to reinstate the workman in service without back wages and other consequential benefits. So far as the back wages and other consequential benefits

are concerned, the workman has not raised any dispute and not preferred any petition. The present petition has become infructuous as the petitioner has already reinstated the workman in service.

6. In view of the above, the petition stands disposed of as having become infructuous. Rule is discharged. Interim relief granted earlier shall stand vacated forthwith. There shall be no order as to costs.

7. Pending civil application/s, if any, shall stand disposed of accordingly.

(HEMANT M. PRACHCHHAK,J)

V.R. PANCHAL

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: VIJAYKUMAR RAMESHBHAI PANCHAL(HC00171), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 25/02/2026 16:26:29