

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/LETTERS PATENT APPEAL NO. 597 of 2026****In****R/SPECIAL CIVIL APPLICATION/2148/2017**

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VISANDAS SUKHRAMDAS VASIYANI**Versus****MANAGING DIRECTOR, AHMEDABAD ELECTRICITY CO. LTD. & ANR.**

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Appearance:**MR K R MISHRA(6312) for the Appellant(s) No. 1****MR KUNAN B NAIK(3210) for the Respondent(s) No. 1,2**

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CORAM: HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA**and****HONOURABLE MR.JUSTICE J. L. ODEDRA****Date : 16/07/2026****ORAL JUDGMENT****(PER : HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA)**

1. This appeal is by the workman.
2. The workman was appointed as a Substation Operator in the year 1971 and was promoted as an Estimator in the year 1982. His job function as an Estimator was to estimate the amounts to be collected for granting a new connection to the customers.
3. In one of such cases, an allegation surfaced that the workman, while forwarding an application of a customer, had fraudulently stated that the construction for which connection was sought was in respect of an old building and was not a new construction.

4. It is not in dispute that in respect of a new construction, the applicant seeking a connection was required to furnish an appropriate certificate from the municipality to the effect that the applicant had been permitted to occupy the premises.

5. One of the functions of the Estimator was that he should inspect the premises where the connection was sought for and satisfy himself as to the correctness of the application.

6. In the inquiry that was conducted, it was noticed that the appellant had, in fact, visited the spot and, knowingly fully well that it was a newly constructed building, he had falsely stated that it was an existing building. In fact, in the inquiry proceedings, he admitted this misconduct on his part.

7. The inquiry report that was submitted recorded a finding that the guilt of the appellant was established, and this inquiry report was accepted and the Disciplinary Authority proceeded to pass an order of termination.

8. Being aggrieved by this, the workman approached the Labour Court. The Labour Court, on consideration of the entire matter, concurred with the view taken by the Disciplinary Authority and rejected the reference.

9. Thereafter, the workman preferred an appeal before the Industrial Court and the same was also dismissed by the Industrial Court.

10. The workman, thereafter, approached the learned Single Judge by way of a writ petition and the learned Single Judge, on consideration of the matter, has dismissed the writ petition.

11. As against these orders, the present appeal has been preferred.

12. As could be seen from the facts narrated above, the finding of guilt recorded by the Inquiry Officer and accepted by the Disciplinary Authority has been concurred by the Labour Court as well as by the Industrial Court and the learned Single Judge. In other words, three authorities, on examination of the matter, have come to the conclusion that the guilt of the appellant has been established. In that view of the matter, it would be impermissible for us to examine the correctness of the order passed by the Disciplinary Authority.

13. The learned counsel for the appellant, however, seeks to contend that the entire basis for the inquiry is incorrect, since the complainant herself did not support the case of the department.

14. We are unable to accept this contention in the light of the finding recorded by the three authorities. We, therefore, find no reason to entertain the appeal. The appeal is, therefore, DISMISSED.

Sd/-
(N.S.SANJAY GOWDA,J)

Sd/-
(J. L. ODEDRA, J)

OMKAR

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: OMKAR CHHAGANLAL MAHAWAR(HC00201), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 17/07/2026 16:05:53