

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 5474 of 2020
With
R/SPECIAL CIVIL APPLICATION NO. 5485 of 2020
With
R/SPECIAL CIVIL APPLICATION NO. 5475 of 2020
With
R/SPECIAL CIVIL APPLICATION NO. 5476 of 2020
With
R/SPECIAL CIVIL APPLICATION NO. 5477 of 2020
With
R/SPECIAL CIVIL APPLICATION NO. 5478 of 2020
With
R/SPECIAL CIVIL APPLICATION NO. 5479 of 2020
With
R/SPECIAL CIVIL APPLICATION NO. 5480 of 2020
With
R/SPECIAL CIVIL APPLICATION NO. 5481 of 2020
With
R/SPECIAL CIVIL APPLICATION NO. 5482 of 2020
With
R/SPECIAL CIVIL APPLICATION NO. 5483 of 2020
With
R/SPECIAL CIVIL APPLICATION NO. 5484 of 2020

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DHEERAJ GENERAL HOSPITAL

Versus

MANJULABEN LAXMIKANT MAKWANA

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Appearance:

MS DISHA N NANA VATY(2957) for the Petitioner(s) No. 1

NOTICE SERVED(4) for the Respondent(s) No. 1,2

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CORAM: HONOURABLE MR. JUSTICE A.S. SUPEHIA

Date : 01/09/2021

COMMON ORAL ORDER

Rule returnable on 18.11.2021. Learned advocate Mr. Subramaniam Iyer waives service of notice of rule for the respondent no.1 in all matters.

To be heard with Special Civil Application Nos.15050 of 2020 and allied matters and Special Civil Application Nos.5231 of 2021 and allied matters.

Learned advocate Mr.Mitul K. Shelat appearing for the petitioner has submitted that there was no material produced before the Labour Court for arriving at the finding that each of the workman have completed 240 days. He has further submitted that in some cases the workmen were not working in the concerned hospital.

Per contra, learned advocate Mr.Subramaniam Iyer has submitted that the Labour Court after perusing the documentary as well as oral evidence has arrived at the finding that there is violation of the provisions of Sections 25 and 25(G) of the Industrial Disputes Act, 1947. He has submitted that in fact the workmen have completed 240 days.

Since there is contrary view with regard to material examined by the concerned Labour Court, it would be necessary for this Court to examine the record and proceedings.

Registry is directed to call for the record and proceedings so as to reach before this Court on or before 25.10.2021.

Meanwhile, the learned advocate appearing for the petitioners shall supply a conceal statement with regard to actual position of the workmen in each of the petition. Interim relief shall continue during the pendency and final disposal of these petitions.

(A. S. SUPEHIA, J)

ABHISHEK