

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 3802 of 2026**

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BHAVANBHAI SAVABHAI RATHOD & ANR.

Versus

OFFICE OF DIRECTORATE OF PENSION AND PROVIDENT FUND & ORS.

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Appearance:

MR CHINTAN N DESAI(9940) for the Petitioner(s) No. 1,2

AAKASH GUPTA AGP for the Respondent(s) No. 1,2,3,4,5

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 21/04/2026

ORAL ORDER

1. Heard learned Advocate Mr. Chintan N. Desai for the petitioners and learned AGP for the respondent-State.
2. Considering the submissions made by learned Advocates for the parties, though it appears that a consolidated attendance-sheet of the present petitioners has been produced, yet, it is not clear as to whether the said calculation is along the lines of the decision of the Hon'ble Apex Court in case of **‘Workmen of American Express International Banking Corporation Vs. Management of American Express International Banking Corporation’**, reported in (1985) 4 SCC 71, more particularly by adding Sundays and Public Holidays.
3. Under such circumstances, let the Range Forest Officer,

Normal Range, Santrampur, Mahisagar file an affidavit stating as to whether the calculation is by adding Sundays and Public Holidays as per the law laid down in Workmen of American Express International Banking Corporation (supra) or not, and whereas if the same is not as per the decision of the Hon'ble Apex Court in Workmen of American Express International Banking Corporation (supra), then a fresh consolidated attendance-sheet shall be produced, after adding Sundays and Public Holidays in the number of days worked by the present petitioners.

4. In view of the above, issue notice returnable on 30.06.2026. Learned AGP waives service for the Respondents.

BHAVIN MEHTA

(NIRZAR S. DESAI,J)