

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 6102 of 2025**

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JITENDRAKUMAR LAXMANBHAI JADAV

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR HB SINGH(2073) for the Petitioner(s) No. 1

MR. SANJAY UDHWANI, ASSISTANT GOVERNMENT PLEADER for the
Respondent(s) No. 1,2,3

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI**Date : 02/05/2025****ORAL ORDER**

1. By way of this petition, the petitioner has prayed for multi-fold reliefs. However, learned advocate Mr. Singh appearing for the petitioner, upon instruction, states that at this juncture, keeping all the rights and contentions of the petitioner open, the petitioner is pressing only for prayer made in paragraph No. 7(D) which reads as under :-

“[D] Be pleased to direct the respondent authorities to decide the representation dated 05.03.2025 made by the petitioner to the respondent authorities within a stipulated time and extend the benefit to convert the petitioner’s service from work charge to temporary establishment after having worked for 20 years and give first higher grade as per prevailing policy as have been granted to other the similarly situated employees, in accordance with judgment

dated 29-06-2018 in Letters Patent Appeals No.380 of 2016 and allied matters Annexure-B”

2. Learned advocate Mr. Singh would submit that the case of the present petitioner being squarely covered by decision of Hon’ble Division Bench of this Court rendered in Letters Patent Appeal No. 380 of 2016 and allied matters dated 29.06.2018, the grievance raised by the present petitioner at this stage could be assuaged if representations which would be preferred by the petitioner relying upon the said judgment may be directed to be decided by the respondents within a specific period of time.
3. Considering the submission made by learned advocate Mr. Singh, since the same appears to be reasonable, the following directions are passed :-

“(i) The petitioner, in addition to the representations already preferred dated 25.01.2025, shall prefer fresh representation pointing out how his case is similar to the case of the workmen in Letters Patent Appeal No. 380 of 2016 and allied matters and whereas, such representation shall be preferred by the petitioner within a period of two weeks from today.

(ii) Upon such representation being received by the respondents, the same shall be considered and decided

by them within a period of six weeks thereafter, more particularly taking into account the communication of the respondent herein, whereby the proposals in case of the present petitioner is stated to be pending.

(iii) It is directed that if the petitioner is similarly situated to the employees in Letters Patent Appeal No.380 of 2016, then the benefits as made available to the said employees may be passed on to the present petitioner as expeditiously, but not later than six weeks from the date of decision as per 4(ii), as above.

(iv) In case the present petitioner is aggrieved by the decision of the respondents, then it would be open for the petitioner to question the same before appropriate forum in accordance with law.”

4. With the above observations and directions, the present petition stands disposed of. Needless to clarify that this Court has not entered into the merits of the matter. Direct service is permitted.

(NIRZAR S. DESAI,J)

VARSHA DESAI

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: VARSHABEN VAGHAJIBHAI DESAI(HC01393), PRIVATE SECRETARY, at High Court of Gujarat on 02/05/2025 15:30:31