

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 7246 of 2024**

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RANGE FOREST OFFICER
Versus
SHRI NAYANSINGH ASHOK PAVAR

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Appearance:
MR MAYANK CHAVDA, ASSIST. GOVERNMENT PLEADER for the
Petitioner(s) No. 1
for the Respondent(s) No. 1

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CORAM: HONOURABLE MRS. JUSTICE MAUNA M. BHATT**Date : 01/05/2024****ORAL ORDER**

1. Heard Mr. Maynak Chavda, learned advocate for the petitioner.

2. He submitted that the award of Labour Court, Valsad dated 03.12.2022 in Reference (L.C.V.) No.197 of 2016 directing the petitioner to reinstate the workman with continuity and 50% back-wages is erroneous, since admittedly, as per the attendance register, the workman had not completed 240 days in a year. The register produced before the Labour Court justifies the number of days worked by the workman in the concern year. It shows that out of 8 years, only two years, the workman had completed 240 days, despite that adverse

inference has been drawn. Further, the appointment of the workman was done as a daily wager as per the need and as per the grant given by the State to the Forest Department.

3. Considering the submission, issue **Notice** returnable on **10.06.2024**.

Ad interim relief in terms of Para 8 (C) is granted till final disposal of the present petition subject to payment of wages under Section 17B of the Industrial Disputes Act upon filing Affidavit by the workman.

It is open for the petitioner to reinstate the workman instead of paying ideal wages.

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(MAUNA M. BHATT,J)