

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 8358 of 2026**

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VADODARA MUNICIPAL CORPORATION

Versus

KANUBEN JAYESHBHAI CHAUDHARY

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Appearance:

ANSHUL N SHAH(8540) for the Petitioner(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE DEVAN M. DESAI****Date : 23/06/2026****ORAL ORDER**

1. Heard learned advocate Mr. Karan Vin for learned advocate Mr. Anshul N. Shah for the petitioner.

2. Learned advocate for the petitioner has submitted that there is a gross delay of 11 years in filing the recovery application. It is further submitted that there is no per-existing right available in favour of the petitioner. However, learned Labour Court, without discussing the question of limitation, has allowed the application, therefore, the petitioner is before this Court.

3. Learned advocate for the petitioner has relied upon the proviso to Section 33 C of the Industrial Disputes Act, 1947 and contended that application would be made within one year from

the date on which the money became due to the workman from the employer. In the present case, the order came to be passed in favour of the workman in the year 2008 and the recovery application is filed as late as in the year 2017.

4. Having considered submissions of learned advocate for the petitioner, issue requires consideration. Hence, Rule. Ad-interim relief in terms of para 24(B) of the present petition is granted.

RINKU MALI

(D. M. DESAI,J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: RINKU MALI(HC01574), PRIVATE SECRETARY, at High Court of Gujarat on 23/06/2026 18:17:57