

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**LETTERS PATENT APPEAL NO. 357 of 2016****In SPECIAL CIVIL APPLICATION NO. 15249 of 2015****With****CIVIL APPLICATION NO. 3739 of 2016****In****LETTERS PATENT APPEAL NO. 357 of 2016**

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NAVSARJAN - THRO ITS REGIONAL PROGRAMME DIRECTOR SHRI
KANTIBHAI UKABHAI PARMAR....Appellant(s)

Versus

VEGDA NATUBHAI MOTIBHAI & 1....Respondent(s)

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Appearance:

MS SHILPA R SHAH, ADVOCATE for the Appellant(s) No. 1

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CORAM: **HONOURABLE THE CHIEF JUSTICE MR. R.SUBHASH
REDDY**
and
HONOURABLE MR.JUSTICE VIPUL M. PANCHOLI

Date : 25/04/2016

ORAL ORDER

(PER : HONOURABLE THE CHIEF JUSTICE MR. R.SUBHASH REDDY)

It is contended by the learned counsel for the appellant-original petitioner that order of termination was passed on 30.04.2002 and the Labour Court ordered reinstatement with 50% back wages by award dated 03.06.2015 and the same is confirmed by the learned Single Judge. It is further represented that at the time of termination, the respondent-employee was drawing salary

of Rs.5000/- per month, but after reinstatement he is paid salary of Rs.17,000/- per month. It is contended that the appellant- petitioner being a trust it is heavily burdened for payment of 50% back wages from the date of termination, viz. 30.04.2002. It is also brought to our notice that three similar such applications are pending before the Labour Court. We do not find any ground other than examining the question to the limited extent of claim of back wages.

2. **NOTICE** returnable on 13.06.2016 subject to condition that the appellant- petitioner pays salary to the respondent-employee on par with other employees. Direct service is permitted.

(R. SUBHASH REDDY, CJ)

(VIPUL M. PANCHOLI, J.)

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