

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**SPECIAL CIVIL APPLICATION NO. 7113 of 2015**

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GUJARAT STATE FEDERATION OF UNIVERSITY AND COLLEGE
TEACHERS' ASSOCIATION....Petitioner(s)

Versus

STATE OF GUJARAT & 2....Respondent(s)

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Appearance:

MR RR VAKIL, ADVOCATE for the Petitioner(s) No. 1

GOVERNMENT PLEADER for the Respondent(s) No. 1

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**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE MR.
VIJAY MANOHAR SAHAI
and
HONOURABLE MR.JUSTICE R.P.DHOLARIA**

Date : 24/04/2015

ORAL ORDER

**(PER : HONOURABLE THE ACTING CHIEF JUSTICE MR. VIJAY
MANOHAR SAHAI)**

We have heard learned advocate Mr. R.R.Vakil, for the petitioner. Connect this petition with Special Civil Application No. 6924 of 2015.

Leave to add Union of India through Secretary, Ministry of Human Resource Development, New Delhi, as respondent no.4 to the petition. Amendment to be carried out during the course of the day.

Mr. Vakil has urged that the Gujarat Educational Institutions Services Tribunal discharges judicial or quasi-judicial functions and therefore, it can be manned only by judicial officer or a judge, but cannot be manned by

administrative officers only. In support of his say, he has relied upon two judgments, namely, [i] Madras Bar Association vs. Union of India, reported in [2014] 10 SCC 1 and [ii] Union of India vs. R.Gandhi, President, Madras Bar Association reported in [2010] 11 SCC 1.

Rule returnable on 10th June, 2015.

As vires of Gujarat Educational Institutions Services Tribunal Act, 2006 is challenged by the petitioners in this petition, issue notice to the Advocate General.

Direct service permitted.

(V.M.SAHAI, ACJ.)

(R.P.DHOLARIA,J.)

(pkn)