

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CIVIL APPLICATION NO. 13021 of 2020**

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DIVISIONAL CONTROLLER, GUJARAT STATE ROAD TRANSPORT
CORPORATION

Versus

HARUNBHAI K PARMAR C/O STATE TRANSPORT WORKS UNION

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Appearance:

MS SEJAL K MANDAVIA(436) for the Petitioner(s) No. 1

NOTICE SERVED(4) for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE A.S. SUPEHIA

Date : 20/09/2021

ORAL ORDER

Though the notice is served to the respondent on 11.11.2020, he has chosen not to appear.

Learned advocate Ms.Sejal Mandavia has submitted that impugned award dated 13.03.2020 passed in Reference (IT) No.86 of 2011 by the Industrial Tribunal, Bhavnagar is required to be set aside since the Tribunal has fallen in error that the impugned order terminating the respondent has been passed is without holding any inquiry against the principles of natural justice. She has submitted that the respondent-workman is only imposed penalty of stoppage of two increments with future effect looking to his misconduct as there were total 11 misconducts in the year 1981 and he was dismissed from service also. She has submitted that despite the dismissal in the year 1981, the respondent has indulged in such misconduct and the impugned award is required to be set aside.

Since the respondent has chosen not to appear before this Court, issue **Rule** expedited.

During the pendency and final disposed of this petition, interim relief in terms of para 7(c) is granted.

(A. S. SUPEHIA, J)

ABHISHEK