



**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CIVIL APPLICATION NO. 11943 of 2018**

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GODHRA MUNICIPALITY
Versus
INDUPRASAD JAYSHANKAR PATHAK

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Appearance:

MR PREMAL R JOSHI(1327) for the Petitioner(s) No. 1
DECEASED LITIGANT(100) for the Respondent(s) No. 1
MR YV SHAH(813) for the Respondent(s) No. 1,1.1

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CORAM: **HONOURABLE MS JUSTICE SONIA GOKANI**

**Date : 24/01/2020
ORAL ORDER**

1. This Court has heard both the sides on the merits of the matter. The dispute is with regard to the calculation which has been worked out by the Labour Court.

2. Since, according to learned advocate Mr. Joshi, the pension is granted to all the retired employees from 01.12.2011 as per the Sixth Pay Commission, whereas, in the instant case, the Labour Court has calculated it from the date 01.01.2010, it requires indulgence.

3. According to learned advocate Mr. Y.V.Shah, there is no error in the calculation. Respondent does not claim for the pay scale to be implemented, but, seeks only pension. According to learned advocate Mr. Shah, the Labour Court has calculated the



amount on the strength of the Government Resolution Dated 13.04.2009 which calls for no interference at all.

4. The Court deems it appropriate to request the Member Secretary, the Gujarat Legal Services Authority to, in turn, make a request to the retired senior officer from the office of Director of Pension for rendering services at the legal clinic Shahibaug or any authorized person from the office of the Director of Pension, Gandhinagar to calculate the amount by calling both the sides and tender a report to this Court, on or before 03.02.2020.

5. The mobile details of learned advocates on both the sides are as follows:-

Lr. Adv. Mr. Premal Joshi:- 9227207223

Lr. Adv. Mr. Y.V.Shah:- 7600968521

6. A copy of this order be sent to the Member Secretary, the Gujarat State Legal Services Authority, **today**.

7. The Registry shall furnish the necessary documents, if called for or required by the Gujarat State Legal Services Authority.

8. Matter to appear on 03.02.2020.

(SONIA GOKANI, J)

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