

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 1561 of 2024****With****R/SPECIAL CIVIL APPLICATION NO. 14205 of 2023**

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AKHIL GUJARAT GENERAL MAZDOOR SANGH
Versus
ELECTRICAL RESEARCH AND DEVELOPMENT ASSOCIATION ERDA &
ORS.

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Appearance:

MR AK CLERK(235) for the Petitioner(s) No. 1

MR K M PATEL, SR. ADVOCATE for MR.VARUN K.PATEL(3802) for the
Respondent(s) No. 1

NOTICE SERVED for the Respondent(s) No. 2

SERVED BY AFFIX(N) for the Respondent(s) No. 3

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**CORAM: HONOURABLE MR. JUSTICE HEMANT M.
PRACHCHHAK**

Date : 02/07/2024**ORAL ORDER**

1. The present petition involves question whether the Tribunal was right in passing the order since there was no relationship with the present workman as they are appointed through contractor and they are not the employee of the contractor and on the other hand, the respondent workman has also preferred a petition which requires consideration.

2. In Special Civil Application No.14205 of 2023, let they undertake that they will not change the service condition of all these respondents and continue as on today. So far as the Special Civil Application No. 1561 of 2024 is concerned, learned counsel Mr. A. K. Clerk relied upon the documents which is produced before the labour court. The same is taken on record and the same is to be replaced in the original petition. So

far as the interim relief is concerned, the learned counsel Mr. Clerk has referred and relied upon the order passed by this court.

3. Both the petitions to be heard in the circumstances that in case of the final hearing take place on the said day it is open for the petitioner in the second petition i.e. Special Civil Application No.1561 of 2024 for requesting the court to grant interim relief, it will be decided by the concerned court in accordance with law after hearing of the concerned parties.

4. Let the interim relief in terms of para 4(B) be granted on the condition that they will maintain the service condition of all the respondents. They will not alter the service condition of any of the respondents and they will continue to pay the salary which, at present, they are receiving.

5. That they will not alter the conditions to the respondents in the present petition.

Let both the petitions be heard on 16.10.2024.

(HEMANT M. PRACHCHHAK,J)

MAYA