

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**SPECIAL CIVIL APPLICATION NO. 3946 of 2006****With****SPECIAL CIVIL APPLICATION NO. 6170 of 2010**

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STATE OF GUJARAT & 1....Petitioners

Versus

UPENDRA NATWARLAL PANDYA & 1....Respondents

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Appearance:

GOVERNMENT PLEADER for the Petitioners No. 1 - 2

(MR BIREN A VAISHNAV), ADVOCATE for the Respondent No. 1

MR AR THACKER, ADVOCATE for the Respondent No. 2

MRS ARTI H NANAVATI, ADVOCATE for the Respondent No. 1

RULE SERVED BY DS for the Respondent No. 2

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CORAM: HONOURABLE MR.JUSTICE S.R.BRAHMBHATT**Date : 21/11/2017****COMMON ORAL ORDER**

1. In these matters, the issue is in respect of challenge to denial of the authorities in granting benefits of pensionary scheme in place of Contributory Provident Fund Scheme. The petition being SCA No. 3946 of 2006 is in fact challenging the order passed by the University Tribunal, whereas, SCA No. 6170 of 2010 is filed by University Retired Employees Association. Learned AGP is present and Ms. Hathi, learned advocate appearing in SCA No. 6170 of 2010 is present. None is present for petitioners in SCA No. 6170 of 2010. Moreover, Court's attention is also invited to order passed by this Court on earlier occasion and submitted that, that order had been passed on 10.9.2014 and there is no instructions as to what had happened qua the directions for considering the cases.

2. This Court is of the view that in absence of counsel for petitioners in SCA No. 6170 of 2010 and in view of order passed in SCA No. 14275 of 2005 and Letters Patent Appeal arising therefrom, it would not be in the interest of justice to decide the matters in absence of counsel for petitioners in SCA No. 6170 of 2010. Hence, matters are adjourned. In the meantime, counsel for State shall also inquire and place on record the decision, if any, pursuant to order passed by this Court on 10.9.2014.

(S.R.BRAHMBHATT, J.)

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