

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 11794 of 2025**

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DIVISIONAL CONTROLLER, S.T. VADODARA DIVISION

Versus

DECEASED KISHANBHAI GAMBHIRBHAI TADVI THROUGH LH & ORS.

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Appearance:

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

NOTICE SERVED for the Respondent(s) No. 1.2,1.3,1.4

UNSERVED EXPIRED (N) for the Respondent(s) No. 1.1

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**CORAM: HONOURABLE MR. JUSTICE HEMANT M.
PRACHCHHAK****Date : 09/01/2026****ORAL ORDER**

1. By way of present petition under Articles 14, 226 & 227 of the Constitution of India, petitioner has challenged the order dated 21.05.2025 passed by the Labour Court No. 3, Vadodara in Recovery Application No.358 of 2015, whereby, the petitioner was directed to pay Rs. 86,292/- along with 8% interest and Rs.5000/- as litigation cost to the deceased respondent.

2. Heard Ms. Sejal Mandavia, learned counsel appearing for the petitioner. Though notice served, the respondents have chosen not remain present before this Court.

3. Ms. Sejal K Mandavia, learned counsel for the petitioner has drawn the attention of this Court to the fact that the endorsement on the cause-list shows that the notice was unserved upon respondent No. 1.1, being the wife of the deceased respondent - Kishanbhai Gambhirbhai Tadvhi namely

Manjulaben Kishanbhai Tadvī, however, she had passed away before the proceedings of the concerned Labour Court and, therefore, her legal heirs were already brought on record and there is no need to bring legal heirs of the deceased - Manjulaben Kishanbhai Tadvī i.e. respondent No. 1.1 on record. Considering this, Registry is directed to strike off the said endorsement from the cause list.

4. Though various grounds have been raised in the memo of petition, the fact remains that the total amount involved in the petition is only Rs.86,292/-. Considering the smallness of amount, this Court deems it fit not to exercise jurisdiction under Article 226 & 227 of the Constitution of India. Accordingly, without entering into the merits of the matter, only on the ground of smallness of amount with a further clarification that this may not be considered as precedent in other matters, the petition is dismissed. The interest at the rate of 8% awarded by the Labour Court is hereby reduced to 6%.

5. If the amount is not deposited by the petitioner, the same shall be deposited within a period of eight weeks from the date of receipt of order of this Court. Once the amount is deposited, the same shall be disbursed in favour of the respondents, after verifying the bank details and after following due procedure, through RTGS/NEFT.

(HEMANT M. PRACHCHAK,J)

ANUSRI

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: ANUSRI VASU(HC02352), ENGLISH STENO GRADE-III, at High Court of Gujarat on 09/01/2026 16:58:34