

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/MISC. CIVIL APPLICATION (FOR CONTEMPT) NO. 1027 of 2022****In R/SPECIAL CIVIL APPLICATION/12026/2013**

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DEVBALABEN ARJANBHAI JETHVA

Versus

MUKESH PURI & ANR.

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Appearance:

MR PJ MEHTA(467) for the Applicant(s) No. 1

GOVERNMENT PLEADER for the Opponent(s) No. 1

MR DG CHAUHAN(218) for the Opponent(s) No. 2

RONAK D CHAUHAN(7709) for the Opponent(s) No. 2

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CORAM:HONOURABLE MR. JUSTICE BHARGAV D. KARIA

and

HONOURABLE MR.JUSTICE L. S. PIRZADA**Date : 21/04/2026****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE BHARGAV D. KARIA)**

1. By this application filed under the provisions of the Contempt of Courts Act, 1971, the applicant has prayed that the contempt proceedings be initiated against the respondents for not complying the order passed in the writ petition.

2. However, the respondents have filed the affidavit-in-reply stating that the order is complied with and the applicant is paid all the dues as per the order passed in the writ petition, considering the applicant as a regular

employee from 01.04.2008 as per the scheme referred to in the decision of the Hon'ble Apex Court in the case of **Gujarat Agricultural University vs. Rathod Labhu Bechar and Others**, reported in **(2001) 3 SCC 574** in Para 10.

3. Learned advocate Mr.P.J. Mehta for the applicant submitted that the applicant has filed further affidavit-in-rejoinder wherein, it is averred that the applicant has completed 10 years of service with 240 days of working in a year on ad-hoc basis from the year 1993 onwards. He referred to the data placed on record at page 102 to point out this fact. It was, therefore, submitted that respondents ought to have regularized the services of the applicant from 01.04.2003 and not from 01.04.2008 and, therefore, there is non-compliance of the order passed in the writ petition as per the decision of the Hon'ble Apex Court in the case of **Rathod Labhu Bechar** (supra).

4. At this stage, learned advocate Mr.D.G. Chauhan appearing for the opponent No.2 prays for time to place

on record the actual working of the applicant from 1993 onwards with the opponent No.2 to justify the order placed at Annexure-B to the affidavit-in-reply (Page 88) filed on behalf of the opponent No.2 for compliance of the order passed in the writ petition.

5. Stand over to 05.05.2026.

(BHARGAV D. KARIA, J)

(L. S. PIRZADA, J)

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