

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 18790 of 2023**

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VAJUBHAI K DEGDA

Versus

STATE OF GUJARAT

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Appearance:

MR PS CHAMPANERI(214) for the Petitioner(s) No. 1,2

for the Respondent(s) No. 2,3,4

ADVANCE COPY SERVED TO GOVERNMENT PLEADER/PP for the
Respondent(s) No. 1

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CORAM:HONOURABLE MS. JUSTICE SANGEETA K. VISHEN**Date : 26/10/2023****ORAL ORDER**

1. Mr.P.S. Champaneri, learned advocate for the petitioners submitted that the request was made to the panchayat to allot various works, which are to be undertaken by the panchayat. The request of the petitioners was turned down by the Taluka Development Officer vide order dated 16.01.2020, without giving any reasons. Aggrieved, an appeal was filed before the District Panchayat, which has passed an order dated 15.03.2021, without considering the grievance of the petitioners. In the revision before the Additional Development Commissioner, the said order dated 15.03.2021 has been confirmed on the ground that since the limit has been extended from Rs.2 lacs to Rs.5 lacs and the panchayat is at liberty to get the work done on its own, the request of the petitioners for allotment of the work cannot be accepted.

2. It is submitted that the Roads & Building Department has issued a consolidated resolution to simplify the procedure for awarding the work to the Labour Co-operative Societies.

Classification has been provided of the society from “A” to “D” and the Labour Co-operative Societies, falling within the category of “C” and “D”, are capable of undertaking the work upto the extent of Rs.4 lacs and Rs.1 lac. respectively. It is submitted that the members of the society are the poor labourers and when the policies have been formulated for betterment of the petitioners’ society, the panchayat is expected to award the work in favour of the said society; however, the request has been turned down only on the ground that the discretion lies with the panchayat to award the work or not to award the work upto the limit of Rs.5 lacs.

2. Considered the submissions. Issue notice to the respondents, returnable on **30.11.2023**.

3. Mr.Champaneri, learned advocate to place on record the order dated 15.03.2021. Direct service is permitted.

Hitesh

(SANGEETA K. VISHEN,J)