

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/LETTERS PATENT APPEAL NO. 1281 of 2025
In R/SPECIAL CIVIL APPLICATION/11754/2023**

With

**CIVIL APPLICATION (FOR STAY) NO. 1 of 2025
In R/LETTERS PATENT APPEAL NO. 1281 of 2025**

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RASHMIBEN PRAKASHCHANDRA GANATRA

Versus

MANAGER, NARHARI HOSPITAL & ANR.

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Appearance:

MR DIPAK R DAVE(1232) for the Appellant(s) No. 1

MR PRABHAKAR UPADYAY(1060) for the Respondent(s) No. 1

NOTICE SERVED BY DS for the Respondent(s) No. 2

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CORAM:HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA

and

HONOURABLE MR.JUSTICE J. L. ODEDRA

Date : 29/06/2026

ORAL ORDER

(PER : HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA)

[1] The appellant - workman (hereinafter referred to as "the workman") challenged her dismissal from service pursuant to an enquiry conducted.

[2] The Labour Court, on a dispute raised by the workman, came to the conclusion that the services of the workman had been terminated immediately after the issuance of the charge-sheet and there was absolutely no justification for terminating the workman. The Labour Court, however, instead of granting reinstatement with back wages, granted a lump sum for Rs.3

lakhs. This award of the Labour Court granting 3 lakhs was challenged by the workman by filing a writ petition.

[3] The learned Single Judge has taken the view that the award of lump sum compensation was justified having regard to the strained relationship between the parties and the award of reinstatement would be inappropriate, and the learned Single Judge has accordingly proceeded to dismiss the writ petition.

[4] As a result, the workman is in appeal.

[5] It is borne out from the order of the learned Single Judge that the workman was appointed in the year 2006 and was thereafter promoted from time to time, and ultimately, on 25.02.2012, her services were terminated. It is therefore clear that the workman had put in more than 6 years of service. In our view, having regard to the fact that the workman had worked for six long years and she was also promoted, the award of Rs.3 lakhs as compensation would be inadequate.

[6] We are supported in this regard by a decision of a Division Bench of this Court in Letters Patent Appeal No.908 of 2023 and other allied matter, decided on 18.04.2024, which has laid down guidelines for the award of lump sum compensation in lieu of reinstatement with back wages by considering the number of years of service that a workman has put in. According to the said decision, it would be appropriate to award a sum of Rs.7.5 lakhs to the workman.

[7] Learned counsel for the workman submits that the workman is present before the Court and has no objection to the grant of this said sum. Similarly, learned counsel for the management also submits that the management is agreeable to the payment of the said sum. The said sum of Rs.7.5 lakhs shall be paid within a period of four weeks from the date of receipt of copy this order.

[8] Learned counsel for the workman submits that this sum of Rs.7.5 lakhs shall be treated as full and final settlement of all the claims of the workman and no further claims shall be made except towards Provident Fund.

[9] In view of the above, writ appeal is disposed of.

[10] In view of the order passed in writ appeal, civil application stands disposed of.

(N.S.SANJAY GOWDA, J.)

(J. L. ODEDRA, J.)

DHARMENDRA KUMAR

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: KUMAR DHARMENDRA(HC01071), GOV, at High Court of Gujarat on 30/06/2026 10:51:36