

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 19723 of 2018**

=====

DAHOD DISTRICT PANCHAYAT THROU DISTRICT DEVELOPMENT
OFFICER

Versus
SATISHCHANDRA B. SHAH

=====

Appearance:

MR HS MUNSHAW(495) for the Petitioner(s) No. 1,2
MR MEET THAKKAR, AGP for the Respondent(s) No. 2,3,4
MR VIJAL P DESAI(5505) for the Respondent(s) No. 1

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA M. SAREEN

Date : 01/08/2023

ORAL ORDER

1. It is the case where respondent No.1 was employed as a Work Charge Clerk w.e.f. 01.10.1988 and later on granted benefits of first as well as second higher pay scale also and taken up as Work Assistant and retired from service on 31.05.2014.

2. The pension papers were prepared for the release of retiral benefits due to non passing of departmental examination queries were raised by the office of Assistant Engineer of Local Fund Audit at Dahod.

3. Respondent No.1 preferred Appeal No. 155 of 2015 before the Gujarat Civil Service Tribunal at Gandhinagar praying for retiral benefits. The Tribunal on 29.06.2017 directing that as departmental examination is not held, a

certificate be issued in view of the circular dated 11.04.2011 issued by the Finance Department and the respondent be released all pensionary benefits.

4. Later on respondent No.1 moved an application being Misc. Application No. 2 of 2018 in Appeal No. 155 of 2015 praying that he be released retiral benefits w.e.f. 01.06.2014 with interest at rate of 12% per annum. The Tribunal by order dated 04.05.2018 directed that respondent no.2 herein should issue a certificate within a period of 15 days and make the payment of pension.

5. It appears that the Government has not challenged the order of the Tribunal and also not complied the same.

6. Learned Assistant Government Pleader Mr. Meet Thakkar is hereby directed to take necessary instructions regarding the compliance of the order passed by the Tribunal in Appeal No. 155 of 2015 as well as in Civil Application No. 2 of 2018 by the next date of hearing.

6. The matter is adjourned to 24.08.2023.

(RAJENDRA M. SAREEN,J)

SALIM/