

(2011) 02 GUJ CK 0050
In the Gujarat High Court

Case No : Special Civil Application No's. 487 to 492 of 2011

Rameshbhai Khimjibhai Gohel

APPELLANT

Vs

Porbandar Nagarpalika

RESPONDENT

Date of Decision : 07-02-2011

Acts Referred:

Citation : (2011) 02 GUJ CK 0050

Hon'ble Judges : S.R. Brahmbhatt, J

Bench : Single Bench

Advocate : P.P. Majmudar, for the Appellant; Murali N. Devnani, for the Respondent

Final Decision : Allowed

Judgement

S.R. Brahmbhatt, J.—Heard learned advocate Shri Majmudar for the Petitioner. Rule. Shri MN Devnani waives service of notice for the Respondent. Rule is fixed forthwith with the consent of the advocates for the parties.

2. Learned advocates have submitted that in similar matters earlier this Court (Coram: K.A. Puj, J) has passed orders and altered & modified the compensation made depending upon the length of the service rendered by the workmen. Learned advocates have produced copy of earlier order of this Court (Coram: K.A. Puj, J) dated 23/12/2010, passed in Special Civil Application No. 14601 of 2010 & allied matters, wherein in para-7, it is mentioned that those who have put in less than 8 # 10 years Rs. 50,000/- is awarded and those who have served less than 5 years only Rs. 30,000/- is awarded. This group of petitions so far as the facts are concerned is almost identical, hence at the request of learned advocates for the parties same are taken up for hearing and disposed of by this common judgment & order.

3. The orders impugned in this group of petitions are deserved to be modified as submitted by learned advocates for the parties. Hence without elaborating upon merits & otherwise of the case and as it is submitted by learned advocate for the

parties, the award impugned in this group of petitions are required to be modified so as to bring about uniformity in the litigation between the workmen and employer.

4. Accordingly the award in this group of petitions are modified hereunder.

SCA No. Petitioner's Name Amount modified

SCA No. 487/2011 Rameshbhai Khimjibhai Gohel Rs. 30,000/-

SCA No. 488/2011 Ashokbhai Hirabhai Gohil Rs. 30,000/-

SCA No. 489/2011 Dilipbhai Hirabhai Chamadia Rs. 35,000/-

SCA No. 490/2011 Hirabhai Gigabhai Karelia Rs. 30,000/-

SCA No. 491/2011 Jitendra Khimjibhai Gohel Rs. 30,000/-

SCA No. 492/2011 Karshanbhai Devabhai Khakhas Rs. 30,000/- 5. The Petitioner / workman in each petition is entitled to get the modified amount as above said along with Rs. 1000/- each as cost of reference ordered by the reference court, which shall be paid within four weeks from the date of receipt of writ of this order. In case if the amount is not paid within four weeks from the date of receipt of writ of the order, then, the amount thereafter be paid with interest at the rate of 18% p.a., and it would be open to the Petitioner-workman to move this Court for appropriate relief for compliance with this order.

6. This group of petition is allowed in above terms. Rule made absolute to the above said extent in each of the petitions. No costs. Registry to maintain copy of the order in each petition.