

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 1933 of 2023****With****R/SPECIAL CIVIL APPLICATION NO. 3683 of 2023****With****R/SPECIAL CIVIL APPLICATION NO. 2036 of 2023****With****R/SPECIAL CIVIL APPLICATION NO. 6643 of 2023**

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INDUSTRIAL TRAINING INSTITUTE, SHREE RAJ SHYAMAJI SEVA TRUST
Versus

THE PRINCIPAL SECRETARY, LABOUR, SKILL DEVELOPMENT AND
EMPLOYMENT DEPARTMENT, GOVERNMENT OF GUJARAT & ORS.

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Appearance:

MR MITUL SHELAT, ADVOCATE with MS DISHA N NANAVATY(2957) for
the Petitioner(s) No. 1

MR SAHIL TRIVEDI, AGP for the Respondent-State

GOVERNMENT PLEADER for the Respondent(s) No. 1,2,3,4

NOTICE SERVED for the Respondent(s) No. 5

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CORAM: HONOURABLE MR. JUSTICE NIKHIL S. KARIEL

Date : 01/04/2024

COMMON ORAL ORDER

1. Heard learned Advocate Mr. Mitul Shelat with learned Advocate Ms. Disha Nanavaty and learned Advocate Ms. Kruti M. Shah with learned Advocate Ms. Dhruvi Panday for the respective petitioners and learned AGP Mr. Sahil Trivedi for the respondent-State.

2. Learned AGP Mr. Trivedi would submit that though the respondent department has passed orders dated 09.01.2023 and 02.01.2023, whereby the grant of recurring grant granted to the petitioners have been cancelled, yet, since the issue pertains to non-obtaining of approval from the Finance Department, State of Gujarat, as per the Government Resolution dated 14.08.2014, therefore, the respondent No.1-Department would be

amenable to submitting a proposal to the Finance Department, State of Gujarat for approving the recurring grant originally granted in favour of the petitioners by the respondent No.1-Department. Learned AGP would submit that having regard to the present circumstances, some more time may be granted to the respondents to forward the proposal and for processing the proposal.

3. Considering the submissions made by learned AGP Mr. Trivedi, let respondent No.1 submit an appropriate proposal to the Finance Department, State of Gujarat, for approving the recurring grant granted to the petitioners without being influenced either by orders dated 09.01.2023 and 02.01.2023, whereby the recurring grant granted to the petitioners had been cancelled or without being influenced by the stands taken in affidavit-in-reply filed by the respondent No.1 before this Court. Let such proposal be forwarded by the respondent No.1 to the Finance Department, State of Gujarat, within a period of three weeks and let the Finance Department take an appropriate action thereupon within three weeks thereafter. The respondent No.1 while forwarding the proposal shall take into consideration the issue of recurring grant approved in case of similarly situated institutions.

4. List these matters on 09.05.2024 for further consideration.

(NIKHIL S. KARIEL,J)

BDSONGARA