

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/MISC. CIVIL APPLICATION NO. 148 of 2022
In R/SPECIAL CIVIL APPLICATION NO. 20109 of 2018****PWD AND FOREST EMPLOYEES UNION (FORMERLY PWD
EMPLOYEES UNION) THROUGH SAIYED IBRAHIM****Versus****DR. RAJIV KUMAR GUPTA, SECRETARY, FORESTS AND
ENVIRONMENT DEPARTMENT****Appearance:****MS SHIKHA D PANCHAL for Applicant No. 1,2,2.1,2.2,2.3,2.4,3,3.1,3.2****MS DIVYANGNA JHALA, ASST. GOVERNMENT PLEADER for the****Opponent(s) No. 1,2,3****CORAM: HONOURABLE THE CHIEF JUSTICE MR. JUSTICE ARAVIND
KUMAR****and****HONOURABLE MR. JUSTICE ASHUTOSH J. SHASTRI****Date : 04/04/2022****ORAL ORDER****(PER : HONOURABLE THE CHIEF JUSTICE MR. JUSTICE ARAVIND KUMAR)**

1. The present contempt proceedings have been initiated for alleged violation of the order dated 27.03.2019 passed in Special Civil Application No.20109 of 2018.

2. It would be of benefit to note that the said order was passed as a common order along with several other matters which also included Special Civil Application No.19598 of 2018. For non-compliance of the directions issued therein, Misc. Civil Application No.425 of 2020 had

been initiated by the complainant therein and after taking note of the affidavit filed therein, the contempt proceedings came to be dropped *vide* order dated 11.01.2022. In fact, the complainant herein stands on the same footing as that of the complainant in Misc. Civil Application No.425 of 2020, at least insofar as the complaint regarding willful disobedience of the order dated 27.03.2019 is concerned.

3. In the compliance affidavit filed today, the order dated 25.03.2022 is also appended to the affidavit whereunder it is stated that amount of Gratuity amounting to Rs.46,256/- apart from Rs.59,472/- came to be paid to the complainants namely the legal representatives of the deceased employee i.e. the wife and children of deceased employee.

4. Ms.Shikha Panchal, learned advocate appearing for the complainants would contend that said quantification is improper and the complainants are entitled to much more than what has been paid.

5. Without expressing any opinion with regard to the quantification made and specified in the communication dated 25.03.2022 and reserving liberty to the complainants to challenge the said communication, if so advised, contempt proceeding stands dropped. Misc. Civil Application No.148 of 2022 stands dismissed. Notice stands discharged.

(ARAVIND KUMAR, CJ)

GAURAV J THAKER

(ASHUTOSH J. SHASTRI, J)