

ITEM NO.12

COURT NO.13

SECTION III

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 9016-9026/2012

(Arising out of impugned final judgment and order dated 10-03-2011 in SCA No. 2274/2008 10-03-2011 in SCA No. 2275/2008 10-03-2011 in SCA No. 2276/2008 10-03-2011 in SCA No. 2277/2008 10-03-2011 in SCA No. 2278/2008 10-03-2011 in SCA No. 2279/2008 10-03-2011 in SCA No. 2280/2008 10-03-2011 in SCA No. 2281/2008 10-03-2011 in SCA No. 2282/2008 10-03-2011 in SCA No. 2283/2008 10-03-2011 in SCA No. 8059/2009 passed by the High Court Of Gujarat At Ahmedabad)

STATE OF GUJARAT & ANR.

Petitioner(s)

VERSUS

S.A.JAFI AND ORS ETC.

Respondent(s)

WITH

SLP(C) No. 9027-9037/2012 (III)

SLP(C) No. 9039/2012 (III)

Date : 19-11-2019 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR
HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s) Mr. Pritesh Kapoor, Sr. Adv.
 Ms. Deepanwita Priyanka, Adv.
 Mr. A.P. Mayee, AOR.

Ms. Hemantika Wahi, AOR

Mr. Nikhil Goel, AOR
 Ms. Naveen Goel, Adv.
 Mr. Dushyant Sarna, Adv.

Ms. Sumita Hazarika, AOR
 Ms. Ipsita Behura, Adv.

For Respondent(s) Mr. Santhosh Krishnan, Adv.
 Mr. A. Venayagam Balan, AOR
 Mr. Siddhant Buxy, Adv.

Ms. Hemantika Wahi, AOR

UPON hearing the counsel the Court made the following
O R D E R

SLP(C) No(s). 9016-9026/2012

Heard learned counsel for both sides. We do not find any ground to interfere with the well reasoned order passed by the High Court. The High Court has assigned valid reasons for arriving at the conclusion. The Special Leave Petitions are dismissed.

Pending application(s), if any, stands disposed of accordingly.

SLP(C) No. 9027-9037/2012 & SLP(C) No. 9039/2012

Mr. Nikhil Goel and Ms. Sumita Hazarika learned counsel appearing on behalf of the Municipality submits that certain observations are made at para no. 27 of the impugned order which may create certain problems for the Municipality in paying the remuneration to the daily wagers. According to them, without casual or daily wages employees Municipality cannot run. In our considered opinion, the observations made in para no. 27 of the impugned order take care of this submission. We may, however, add that the observations made relating to casual employees or daily wagers etc. are made only for deciding the main issue on hand relating to permanent employees' entitlement of benefit of 5th Pay Commission.

The Special Leave Petitions are disposed of with the aforesaid observations.

Pending application(s), if any, stands disposed of accordingly.

(ASHWANI THAKUR)
COURT MASTER (SH)

(R.S. NARAYANAN)
COURT MASTER (NSH)