IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 4314 of 2021

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AKHIL GUJARAT GENERAL MAZDOOR SANGH THROUGH VICE PREDENT IRFANUDDIN VAJIYODDIN KAZI

Versus

THE SUPERINTENDENT & ANR.

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Appearance:
MR DIPAK R DAVE(1232) for the Petitioner(s) No. 1
ADVOCATE NAME DELETED for the Respondent(s) No. 1
MRS KRISHNA G RAWAL(1315) for the Respondent(s) No. 2

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CORAM:**HONOURABLE MR. JUSTICE HEMANT M. PRACHCHHAK**

Date : 15/12/2025
ORAL ORDER

1. The present petition is filed by the petitioner under Article 226 of the Constitution of India read with Sections 22 and 33 of the Industrial Disputes Act seeking to restrain respondent No.1 from changing the service condition of the concerned employees and to direct respondent No.1 to maintain status-quo with regard to service condition of the concerned employees.

2. Mr.Dipak Dave, learned counsel for the petitioner has submitted that in similar set of facts, in Special Civil Application No.6835 of 2022 and allied petitions, vide order dated 21.07.2022, the Coordinate Bench of this Court has observed in para – 8 as under:-

> *"8. Considering the submissions made by the learned counsels for the respective parties and particularly when keeping in mind the spirit of the Notification of the Ministry dated 18.06.2018, in light of the decision of the Hon'ble Supreme Court in the case of M/s Tasty Nut (supra), in order to avoid hardship to the appellant / petitioners when there is no Presiding Officer in position at the Central*

Government Industrial Tribunal, Ahmedabad, I pass the following order:

Till the appeals of the petitioner are heard on merits, the respondents are directed not to take coercive steps against the petitioner.

The Central Government Industrial Tribunal, Ahmedabad, after giving the opportunity of hearing to both the parties with regard to interim relief, shall pass an order in accordance with law. It is further clarified that the interim relief restraining the respondents from taking coercive steps will operate till the the aforesaid appeals of the petitioner are taken up for hearing before the Tribunal.

It is further clarified that this court has not examined the matter on merits and since the Appellate Tribunal is not available on regular basis, the matters are disposed of in the aforesaid terms."

2.1 Mr.Dave, learned counsel has also submitted that this Court has also decided such case vide order dated 18.09.2024 passed in Special Civil Applications No. 6064 of 2024 and 6689 of 2024. He has submitted that in view of the above, the Court may dispose of the petition.

3. In view of the aforesaid facts and circumstances of the case, the interim relief granted by this Court shall remain in force till the Presiding Officer in Central Government Industrial Tribunal, Ahmedabad is available and the stay application filed by the petitioner is decided by the Central Government Industrial Tribunal, Ahmedabad.

4. With the above observations and directions, the petition stands disposed of accordingly.

(HEMANT M. PRACHCHHAK,J)

V.R. PANCHAL

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: VIJAYKUMAR RAMESHBHAI PANCHAL(HC00171), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 15/12/2025 16:34:39