

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/SPECIAL CIVIL APPLICATION NO.1336 of 2026**

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DAMJI PUNJA BERADIYA &amp; ORS.

Versus

GUJARAT MARITIME BOARD &amp; ORS.

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Appearance :

MS HARSHAL N PANDYA for the Petitioners.

MS REETA CHANDARANA for the Respondents.

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**CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI**

Date : 05/02/2026

ORAL ORDER

1. At the outset, learned advocate Ms. Reeta Chandarana states that she has instructions to appear for the respondents and she may be permitted to file her Vakalatnama. Accordingly, Registry is directed to accept the Vakalatnama of learned advocate Ms. Reeta Chandara for the respondents, even if the petition is being disposed of today.

2. With the consent of the parties, the matter was taken up finally hence, **Rule**. Learned advocate Ms. Chandarana waives service of rule on behalf of the respondents.

3. In this petition, under Article 226 of the Constitution of India, the petitioners have prayed for a relief that the benefits of 300 days' unavailed privileged leave in favour of the petitioners be released.

4. Reliance is placed by the learned advocate for the petitioners on several decisions of this Court which are referred to

extensively in this petition. Learned advocate Ms. Chandarana has submitted that the petitioners are only entitled to the benefit of resolution of 17.10.1988 including retiral benefits and not entitled benefits of privileged leave for a period of 300 days.

5. Considering the fact that the issue is covered by the decision of this Court in case of **State of Gujarat v. Govindbhai Karshanbhai Parmar rendered in LPA No.236 of 2020 and another decision of this Court rendered in case of Maganbhai Nagarbhai Patel v. State of Gujarat rendered in Special Civil Application No.11631 of 2020**, present petition is required to be allowed. This Court in Special Civil Application No. 9484 of 2013 has also granted similar benefits to the petitioners therein. The Apex Court recently in a decision rendered in SLP No. 7229 of 2022 on 01.09.2022 has also taken a similar view and directed grant of 300 days' privileged leave.

6. Accordingly, the petition is allowed. The respondents are directed to extend the benefits of 300 days privileged leave to the petitioners. The benefits that accrue to the petitioners in terms of privileged leave of 300 days with the arrears shall be paid to the petitioners preferably within a period of twelve weeks from the date of receipt of copy of this order. Rule is made absolute accordingly.

Direct service is permitted

**(NIRZAR S. DESAI,J)**

SAVARIYA

Original copy of this order has been signed by the Hon'ble Judge.  
Digitally signed by: RAJNISH NARENDRA SAVARIYA(HC00179), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 05/02/2026 17:11:45