

The State Of Gujarat vs Ganpatji Nenaji Thakor on 13 January, 2021

Bench: Sanjay Kishan Kaul, Dinesh Maheshwari, Hrishikesh Roy

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ITEM NO.11

Court 9 (Video Conferencing)

SECTION I

S U P R E M E C O U R T O F
RECORD OF PROCEEDINGS

I N D I A

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 20010/2020

(Arising out of impugned final judgment and order dated 13-09-2019 in LPA No. 1614/2019 passed by the High Court Of Gujarat At Ahmedabad)

THE STATE OF GUJARAT & ORS.

Petitioner(

VERSUS

GANPATJI NENAJI THAKOR & ANR.

Respondent(

(IA No.95090/2020-CONDONATION OF DELAY IN FILING and IA No.95091/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 13-01-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s)

Ms. Deepanwita Priyanka, Adv.
Mr. Aniruddha P. Mayee, AOR

For Respondent(s)

Mr. C.B. Gururaj, Adv.
Mr. Prakash Ranjan Nayak, AOR
Mr. Hukum Singh, Adv.
Mr. Mukesh Mishra, Adv.
Mr. K.P. Singh, Adv.
Mr. Pramit Chhetri, Adv.

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

We find no ground to condone the delay and we have dismissed a number of petitions of the very State Government with costs today. The factum of a young counsel before us is the only reason we retrain ourselves from imposing costs once again. Reason: We may also notice that insofar as the

merits of the case are concerned, the only issue which was raised was whether the respondent had accumulated sufficient leaves for grant of payment of 300 days' leave and it is stated in the arguments of the Assistant Government Pleader that "there is no issue" other than that. The appeal was thus, disposed of giving liberty to the petitioner to verify about the admissibility of 300 days for conversion into leave encashment. That being the position, we fail to appreciate why this SLP has been preferred. The reason which now appears is that the petitioner wants to raise other grounds which had never been pressed before the Division Bench.

In view of the aforesaid the matter is dismissed both on limitation and on merits.

Pending application stands disposed of.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR - cum - PS

(ANITA RANI AHUJA)
ASSISTANT REGISTRAR