

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**SPECIAL CIVIL APPLICATION No. 4516 of 1987****For Approval and Signature:****HONOURABLE MR.JUSTICE K.A.PUJ**

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- 1 Whether Reporters of Local Papers may be allowed to see the judgment ?
 - 2 To be referred to the Reporter or not ?
 - 3 Whether their Lordships wish to see the fair copy of the judgment ?
 - 4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
 - 5 Whether it is to be circulated to the civil judge ?
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GUJARAT RAJYA RETIRED EMPLOYEES MAHAMANDAL & 3 - Petitioner(s)

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Versus

BARODA MUNICIPAL CORPORATION & 2 - Respondent(s)

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Appearance :

NOTICE SERVED for Petitioner(s) : 1 - 4.
MR PRANAV G DESAI for Respondent(s) : 1,
NOTICE SERVED for Respondent(s) : 2 - 3.

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CORAM : HONOURABLE MR.JUSTICE K.A.PUJ

Date : 31/01/2006

ORAL JUDGMENT

1. The petitioners have filed this petition under Article 226 of the Constitution of India, praying for quashing and setting aside the Resolution No.951 dated 6.3.1987. The petitioners have also prayed for the declaration that the said Resolution No.951 of 6.3.1987 is not cancelled with retrospective effect and has also sought for the direction that the said cancellation could not adversely be affected the those employees of Corporation who retired, resigned and who left job during the period of 1973 to 1983. The petitioners have also sought for the direction to respondent to comply and pay the interest as per Resolution No.351 dated 10.9.1979 to all those eligible employees who have retired, resigned and left the job during the period from 1973 to 1983.

2. The petition was admitted and rule was issued

on 7.12.1979. This Court has passed an order on 29.10.2001 to place the matter before the Lok Adalat on 31.10.2001. However, on 26.1.2002 Lok Adalat has passed the order observing that this matter could not be settled out of the Court and hence the matter was ordered to be placed before the Court for regular hearing.

3. The petition was filed by the learned advocate who is later on elevated to the Bench of this Court. Fresh notice was issued and despite service of notice nobody appears on behalf of the petitioners, the Court is therefore of the view that the petitioners are not interested in pursuing this matter. The Court, therefore, disposes off this petition for want of prosecution and without expressing any opinion on merits of the matter and reserving liberty to the petitioners to approach this Court in case of difficulty or if

need so arise in future.

4. Subject to the aforesaid observations this petition is accordingly disposed off. Rule is discharged without any order as to costs.

(K. A. PUJ, J.)

kks