

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2026
(arising out of SLP(C) No. 3089/2026)

STATE OF GUJARAT & ORS. APPELLANT(S)

VERSUS

GUJARAT STATE KARMACHARI SANKALAN RESPONDENT(S)
SAMITI, THROUGH ITS CHAIRMAN

O R D E R

1. Leave granted.
2. Challenge in this appeal by the State of Gujarat and its authorities is to the judgment and order dated 26.06.2025 passed by a Division Bench of the High Court of Gujarat at Ahmedabad in exercise of review jurisdiction in Misc. Civil Application (for Review) No. 1/2022. This review petition was filed by the State and its authorities in the context of the judgment dated 16.10.2019 passed in Letters Patent Appeal No. 1327/2019 and batch. However, it appears that the respondent organization, by name, Gujarat State Karamchari Sankalan Samiti¹ intervened and the High Court deemed it appropriate grant it relief by stating that the earlier relief granted to the Multi-purpose Health Workers² would also apply to the health workers

1 “Samiti”, for short

2 “MPHWs”, for short

who were the members of the Samiti as of the year 2011.

3. Aggrieved by this enlargement of relief granted by the High Court in exercise of review jurisdiction, the present appeal was filed.
4. By order dated 13.01.2026, this Court took note of the fact that as many as 3509 members were stated to be there in the Samiti, who were seeking relief and directed that an affidavit should be filed by the said Samiti, supplying the details of its 3509 members, indicating their date of joining as MPHws; the length of service rendered by them; and the emoluments, if any, received by them.
5. Pursuant to the aforestated order, the Samiti filed a counter affidavit wherein, strangely, it stated that only 85 of its members would be seeking relief in terms of the directions of the Division Bench in the impugned judgment. However, details of all 3509 members were furnished, as directed, along with a translation thereof. However, the list furnished in vernacular manifests, in no uncertain terms, that it was prepared by the same person as the handwriting therein is identical in relation to the entry of each person's name and date. Surprisingly, all of them stated to have joined on 20.06.2011. However, in its own wisdom, the Samiti projected that only 85 of its 3509 members would be entitled to relief in terms of the directions of the Division Bench of the High Court.
6. We are now informed that out of those 85 members, only 4 have

been found to be genuine and they have been granted the benefit of regularization.

7. The aforestated facts clearly demonstrate that the Samiti wanted to gain undue advantage by projecting before the High Court as if all of its members were entitled to the benefit of regularization, and secured directions from the Division Bench to that effect.
8. However, when the matter was sought to be verified and examined in depth, the Samiti realized that it would be not in a position to sustain the claim that it had made and, accordingly, restricted it to 85 members. As noted earlier, only 4 out of those 85 members seem to be genuine and have been granted relief.
9. The learned senior counsel appearing for the appellants points out in detail as to how verification of the remaining 81 members' claims revealed that they were without merit.
10. In that view of the matter, the appeal is allowed, setting aside the direction of the Division Bench in paragraph 71 of the impugned judgment with regard to the relief to be granted to the members of the Samiti, excepting the 4 members who have been regularized.
11. Needless to state, the transgression of review jurisdiction by the High Court by enlarging the scope of the relief granted earlier, shall not be treated as a precedent.

Pending application(s), if any, stand disposed of.

.....J.
(SANJAY KUMAR)

.....J.
(AUGUSTINE GEORGE MASIH)

**NEW DELHI;
SEPTEMBER 03, 2026.**

ITEM NO.30

COURT NO.8

SECTION III-B

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

Petition for Special Leave to Appeal (C) No. 3089/2026

[Arising out of impugned final judgment and order dated 26-06-2025 in MCA (for review) No. 1/2022 passed by the High Court of Gujarat at Ahmedabad]

STATE OF GUJARAT & ORS.

Petitioner(s)

VERSUS

GUJARAT STATE KARMACHARI SANKALAN
SAMITI, THROUGH ITS CHAIRMAN

Respondent(s)

(IA No. 273024/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 273025/2025 - EXEMPTION FROM FILING O.T., IA No. 69389/2026 - EXEMPTION FROM FILING O.T., IA No. 133517/2026 - INTERVENTION APPLICATION, IA No. 94222/2026 - INTERVENTION APPLICATION, IA No. 78944/2026 - INTERVENTION APPLICATION, IA No. 65560/2026 - INTERVENTION APPLICATION, IA No. 288663/2025 - INTERVENTION APPLICATION and IA No. 10570/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

Diary No. 72302/2025 (III-B)

(IA No. 38734/2026 - CONDONATION OF DELAY IN FILING)

Date : 03-09-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) :

Dr. Purvish Jitendra Malkan, Sr. Adv.
Mr. Prithviraj Jadeja, Adv.
Mr. Ajit Rao, Adv.
Mr. Saudagar Singh, Adv.
Ms. Bhavna Sarkar, AOR

Mr. Balbir Singh, Sr. Adv.
Ms. Manisha Lavkumar, A.A.G.
Ms. Swati Ghildiyal, AOR
Ms. Neha Singh, Adv.

For Respondent(s) :

Ms. Sharmila Upadhyay, AOR

Mr. Pawan Upadhyay, Adv.
Mr. Dipak K. Joshi, Adv.
Mr. Sarvjit Pratap Singh, Adv.
Mr. Sanjeev Kumar, Adv.
Mr. Anmol Wadhwa, Adv.
Ms. Aditi Anup, Adv.
Mr. Himanshu Rao, Adv.

Mr. Manoj K. Mishra, AOR
Mr. Umesh Dubey, Adv.
Mr. Madhulika, Adv.
Mr. Amulya Dev Mishra, Adv.
Ms. Shriji Mishra, Adv.
Mr. Amrendra Kumar Singh, Adv.
Mr. Raman Chugh, Adv.
Mr. Shashank Tiwari, Adv.
Mr. Sarthak Tiwari, Adv.

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Mr. Prithviraj Jadeja, Adv.
Ms. Dharita Malkan, Adv.
Mr. Alok Kumar, Adv.
Ms. Khushboo Aakash Sheth, AOR

Dr. Purvish Jitendra Malkan, Sr. Adv.
Mr. Prithviraj Jadeja, Adv.
Ms. Dharita Malkan, Adv.
Ms. Bhavna Sarkar, AOR

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

SLP(C) No. 3089/2026

Leave granted.

The appeal is allowed, in terms of the signed order.

Pending application(s), if any, stand disposed of.

SLP(C) Diary No. 72302/2025

De-tag and re-list on 21.09.2026.

(DEEPAK GUGLANI)
DEPUTY REGISTRAR

(signed order in SLP(C) No. 3089/2026 is placed on the file)

(PREETI SAXENA)
COURT MASTER (NSH)