

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6892 OF 2026  
(@ SPECIAL LEAVE PETITION (CIVIL) NO. 22941 OF 2018)

GUJARAT PUBLIC SCHOOL

APPELLANT(S)

VERSUS

NAYA GUJARAT KAMDAR UNION & ANR.

RESPONDENT(S)

R1 NAYA GUJARAT KAMDAR UNION THROUGH ITS SECRETARY

R2 THE DIRECTOR GENERAL OF POLICE, STATE OF GUJARAT

O R D E R

Heard learned counsel for the parties.

2. Leave granted.

3. The appellant-School has approached this Court being aggrieved by the order dated 05.04.2018 passed by the High Court of Gujarat at Ahmedabad in LPA No. 457 of 2017, by which the direction of the Labour Court dated 27.01.2009 to the appellant to reinstate the members of the respondent no.1-Union with payment of back wages, has been upheld.

4. Learned counsel for the appellant submitted that the School is a private school and the respondents were non-teaching staff doing miscellaneous work on Group 'D' posts. It was submitted that the concerned members of the respondent no.1-Union had worked for only two years and

in May, 2005, they have left and never came to rejoin. However, the respondent workers claim that they were disengaged leading to them raising dispute before the Labour Court, resulting in the award in their favour. Learned counsel for the appellant submitted that since May, 2005, the respondent-workers have not been working and their stand, that they went to the School to join and they were not allowed to enter, is blatantly false for the reason that there is no contemporaneous evidence recording such fact, much less, any complaint to the competent authority. It was contended that if the order impugned is upheld, the School may ultimately have to shut down as it does not have such a huge corpus to satisfy the demand of the respondent-workers.

5. The Court, in view of the respondent-workers having abandoned the case after initially appearing in the matter, has requested Ms. Vanshaja Shukla, learned counsel to assist the Court as an *Amicus Curiae*. She has taken great pain and personal interest in the matter and ultimately 15 persons were identified and located, out of which one person had died and 14 persons were contacted. In fact, the Court on the last two occasions had interacted with them through virtual mode being arranged by the Gujarat Legal Services Authority (GLSA) as also the Secretary, District Legal Services Authority (DLSA), Vadodara. Our previous order indicates the amount which

the appellant was initially offering and the amount which the Court felt to be more reasonable. Ultimately on 27.04.2026, as has been recorded in the order passed on that day, we indicated that tentatively the view of the Court was that payment of Rs.3,00,000/- (Rupees Three Lakhs) to each of the respondent-workers would be equitable in the facts and circumstances of the present case. Initially, the appellant appeared to be hesitant, but ultimately it left it to the discretion of the Court and accepted the figure of Rs.3,00,000/- (Rupees Three Lakhs) per head to be paid to the workers.

6. Today also, we have interacted with a few of the respondent-workers through virtual mode. In view of they being unwilling and hesitant to accept Rs.3,00,000/- (Rupees Three Lakhs) per head, the Court has no option, but to finally decide the matter.

7. Accordingly, in the background of what has been stated above and going through the material on record and overall facts and circumstances of the case, we find that the amount of Rs.3,00,000/- (Rupees Three Lakhs) per head would be fair and just in the present case. Accordingly, a direction is issued to the appellant to deposit a sum of Rs.45,00,000/- (Rupees Forty Five Lakhs) for the 15 workers. The same shall be deposited within four weeks by the appellant with the DLSA, Vadodara.

8. The respondent-workers are free to approach the

Secretary, DLSA, Vadodara for withdrawal of their share of Rs.3,00,000/- (Rupees Three Lakhs), which shall be disbursed to them upon being satisfied with regard to their identity. In respect of the 15<sup>th</sup> worker, who is said to have died during the pendency of the present proceedings, it shall be open to the legal representatives/heirs of the concerned worker to withdraw the sum of Rs.3,00,000/- (Rupees Three Lakhs) after satisfying the Secretary, DLSA, Vadodara with regard to him/her/they being the legal representative(s)/ heir(s) of the concerned deceased employee. The same be done within the next eight weeks.

9. However, for the next three months, the remaining amount shall be kept with the DLSA, Vadodara, for the reason that if any remaining person has second thoughts, he/she/they can again approach the DLSA, Vadodara, for withdrawal of the said Rs.3,00,000/- (Rupees Three Lakhs). However, in the event that after six months from today if any amount remains unclaimed, the same shall be used in the general fund of the DLSA, Vadodara.

10. In terms of our earlier order dated 26.11.2025, the appellant has deposited a sum of Rs.50,000/- (Rupees Fifty Thousand) in the Registry of this Court, which is invested in an interest bearing Fixed Deposit Account. The Registry shall forward the said amount along with the interest accrued thereon to the Secretary, DLSA,

Vadodara. The said amount shall also be equally distributed among the 15 persons-workers.

11. The appeal stands disposed of in the aforementioned terms.

12. We put on record our appreciation for the interest taken and effort of Ms. Vanshaja Shukla, learned *Amicus Curiae*. We also record our appreciation for the efforts put in by Ms. Hetal M. Pawar (District Judge Cadre), Member Secretary, GLSA and Mr. Vishal Gadhavi (Senior Civil Judge cadre), Secretary, DLSA, Vadodara, for their assistance in the present matter.

.....J.  
(AHSANUDDIN AMANULLAH)

.....J.  
(R. MAHADEVAN)

NEW DELHI  
MAY 04, 2026

ITEM NO.17

COURT NO.12

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. 22941/2018

[Arising out of impugned final judgment and order dated 05-04-2018 in LPA No. 457/2017 passed by the High Court of Gujarat at Ahmedabad]

GUJARAT PUBLIC SCHOOL

PETITIONER(S)

VERSUS

NAYA GUJARAT KAMDAR UNION & ANR.

RESPONDENT(S)

Date : 04-05-2026 This petition was called for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH  
HON'BLE MR. JUSTICE R. MAHADEVAN

*AMICUS CURIAE* Ms. Vanshaja Shukla, Adv.

For Petitioner(s) :Mr. Kabir Hathi, Adv.  
Ms. Jesal Wahi, AOR

For Respondent(s) :Ms. Swati Ghildiyal, AOR  
Ms. Neha Singh, Adv.

O R D E R

Leave granted.

2. The appeal stands disposed of in terms of the signed order, which is placed on the file.

(POOJA SHARMA)  
AR-CUM-PS

(ANJALI PANWAR)  
ASSISTANT REGISTRAR