

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 485 of 2022**

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BALDEVBHAI SARTANBHAI DESAI

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR DIPAN DESAI(2481) for the Petitioner(s) No. 1

MS. KINJAL VYAS, AGP for the Respondent(s) No. 1,2,3

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI**Date : 27/11/2025****ORAL ORDER**

1. Learned Advocate Ms. Dipan Desai pointed out to the order dated 08.02.2022 passed by the Deputy Secretary, Finance Department, whereby, the petitioner was directed to remain present on 11.02.2022 at 12:30 before the committee constituted in the Chairmanship of Deputy Secretary (Economic Affairs). However, later on the powers were delegated to the concerned Commissioner which was objected by the petitioner and now today learned AGP Ms. Kinjal Vyas under instructions states that the petitioner will be heard on 02.12.2025 at 12:30 in the afternoon by the Committee, where the Secretary (Economic Affairs) as chairman of the same and appropriate decision upon the petitioner's application shall be taken as early as possible after hearing

the petitioner.

2. In view of above, the petitioner is directed to remain present on 02.12.2025 before the Committee under the Chairmanship of Secretary (Economic Affairs) and no formal notice to that effect would be required. The petitioner is directed to remain present in the Chamber of Secretary (Economic Affairs) Block No.4, 5th floor, Finance Department, Sachivalay and this Court directs the respondent authorities to hear the petitioner about his grievance and to take a decision upon the same without being influenced by earlier orders passed by the authority itself which were subject matter of challenge in earlier petition as well as in this petition and to take an independent decision and to place the same on record as early as possible but not later than 14th January, 2026 and such decision may be placed on record of this petition on 22nd January, 2026.

3. It is further directed that the Secretary and the Committee members only shall hear the petitioner and the powers of Secretary shall not be relegated to any other person in view of the peculiar facts of the case as the persons who were senior to the petitioner who were in a position to review the decision, who can be termed as reviewing authority pursuant to the ACRs of the petitioners, have retired by now and, therefore, to

meet with the end of justice and to see that the petitioner's case is considered in its true letter and spirit, it is important that the committee under the Chairmanship of Secretary (economic affairs) only may hear the petitioner and pass appropriate order.

List the matter on 22.01.2026.

Direct Service is permitted.

PARMAR CHIRAG

(NIRZAR S. DESAI,J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: PARMAR CHIRAG KANUBHAI(HC02371), ENGLISH STENO GRADE-II, at High Court of Gujarat on 28/11/2025 17:41:13