

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/SPECIAL CIVIL APPLICATION NO. 769 of 2025**

**With**  
**CIVIL APPLICATION (FOR BREACH OF ORDER) NO. 1 of 2026**  
**In R/SPECIAL CIVIL APPLICATION NO. 769 of 2025**

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DEVALKUMAR JASHUBHAI PATEL

Versus

THE STATE OF GUJARAT & ANR.

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Appearance:

MR HS MUNSHAW(495) for the Petitioner(s) No. 1

RUSHABH H MUNSHAW(8958) for the Petitioner(s) No. 1

MS.FORAM TRIVEDI, AGP for the Respondent(s) No. 1,2

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**CORAM: HONOURABLE MR. JUSTICE NIRZAR S. DESAI**

**Date : 16/04/2026**

**ORAL ORDER**

1. Leave to correct the averments made on **page-C**. Draft amendment which is already on record is granted. To be carried out forthwith.

2. Civil Application No. 1 of 2026 is preferred by the petitioner for breach of order dated 27<sup>th</sup> January, 2025.

3. Today, Dr. H. H. Brahmbhatt, Additional Director, Medical Services, on behalf of Commissioner, Health Medical Services and Medical Education, Respondent No-2 herein, is present before this Court and he makes a statement that the Respondent No.2 intends to withdraw the order dated 28<sup>th</sup> March, 2026 and 06<sup>th</sup> September, 2025 within a period of one

week from today for which it is alleged that the aforesaid orders are passed despite the fact that this Court has granted relief in terms of Para-24(B) to the petitioner vide order dated 27<sup>th</sup> January, 2025 in SCA No. 769 of 2025. The prayer made in Para-24 (B) reads as under:

*“During the pendency and final disposal of the present petition, YOUR LORDSHIPS may be pleased to stay the operation, implementation and execution of the impugned order dated 01.01.2025 passed by the respondent No.2 (Annexure P to the present petition) and YOUR LORDSHIPS may further be pleased to direct the respondents not to take any coercive action against the petitioner, in the interest of justice;”*

4. In view of above statement, list the matter on **23.04.2026** for compliance of statement made before this Court by Dr. H. H. Brahmabhatt, Additional Director, Medical Services on behalf of Commissioner, Health Medical Services and Medical Education.

**(NIRZAR S. DESAI,J)**

PARMAR CHIRAG