

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 1136 of 2025**

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GAMANBHAI GOSAIBHAI VADVA & ORS.

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MS FY MANSURI FOR MR LIYAKAT I MEHTA(3555) for the Petitioner(s) No.
1,2,3,4,5,6,7,8,9

MS NIRALI SARDA ASSISTANT GOVERNMENT PLEADER for the
Respondent(s) No. 1,2

MR HS MUNSHAW(495) for the Respondent(s) No. 3

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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL

Date : 25/08/2025

ORAL ORDER

1. Heard learned Advocate Ms. F.Y. Mansuri for learned Advocate Mr. Liyakat Mehta on behalf of the petitioners, learned Assistant Government Pleader Ms. Nirali Sarda on behalf of respondent- State and learned Advocate Mr. H.S. Munshaw on behalf of respondent no.3.

2. By way of this petition the petitioners have prayed for the following prayers:

“15.(A) Your Lordships may be pleased to admit and allow this petition.

(B) Your Lordships may be pleased to issue a writ of mandamus and any other appropriate writ order or direction in the nature of Mandamus and thereby be pleased to direct the respondents authority to pay

Higher pay-scale as the Annexure – ‘G’ immediately.

(C) Your Lordships may be pleased to pass such other and further orders as may be necessary in the interest of justice.”

3. It would appear that the present petition, is not required to be entertained by this Court since in an earlier round of litigation for the very selfsame prayer, a learned Co-ordinate Bench had taken a view that the petition filed by the petitioners was grossly delayed and whereas the view of the learned Co-ordinate Bench had been confirmed by Hon’ble Division Bench. Decisions of learned Co-ordinate Bench dated 26.07.2012 in Special Civil Application No. 16585 of 2010 being confirmed by Hon’ble Division Bench vide order dated 20.02.2013 in Letters Patent Appeal No. 1124 of 2012. It would appear that though the writ petition and the appeal had been dismissed, the petitioners had continued making representation and whereas reliance is placed upon a communication by the Taluka Health Officer inter alia calling upon the Chief District Health Officer to take appropriate action with regard to the grievance of the petitioner for payment of 1st Higher Grade. It would also appear that pursuant to representations made by the petitioners, the State through the respondent no.2- Department, has also called for appropriate proposal from the respondent no. 3 i.e. District Development Officer, Valsad.

4. Though it appears that the respondents are taking some action as regards the grievance of the present petitioner to this Court it would appear that as of now nothing further is required to be done by this Court except directing the respondent- State as well as the respondent- District

Development Officer to take appropriate action with regard to communication dated 11.06.2025 by the respondent no.2 to respondent no. 3.

5. With the above observations, the present petition stands disposed of.

(NIKHIL S. KARIEL,J)

NIRU

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: NIRU ROSHAN SHAH(HC00211), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 26/08/2025 17:02:47