

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/LETTERS PATENT APPEAL NO. 1127 of 2023****In R/SPECIAL CIVIL APPLICATION NO. 515 of 2022****BHARATKUMAR RAMANBHAI PATEL****Versus****STATE OF GUJARAT & ORS.****Appearance:****MR DIPEN DESAI(2481) for the Appellant(s) No. 1****MR SAHIL TRIVEDI, AGP for the Respondent - State****NOTICE SERVED for the Respondent(s) No. 2****RULE SERVED for the Respondent(s) No. 3****CORAM:HONOURABLE MR. JUSTICE A.S. SUPEHIA****and****HONOURABLE MRS. JUSTICE MAUNA M. BHATT****Date : 30/07/2024****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE A.S. SUPEHIA)**

1. Learned Assistant Government Pleader Mr. Sahil Trivedi for the respondent – State submitted that the case of the present appellants is not similar to that of co-worker Mr. Prashantkumar Jha on which reliance is placed by the appellants. He requests for filing a detailed affidavit along with the relevant documents. The same shall be filed on or before the next date of hearing.

2. It is also pointed out by learned Assistant Government Pleader that the Section Officer, Education Department vide

communication dated 03.12.2020 written to the director had specifically recorded that the appellants will not be entitled to the higher pay scale of Rs.5000-8000/-. He further submitted that the said communication was not produced before the learned Single Judge. Hence, the affidavit shall also contain the explanation as to why this communication dated 03.12.2020 was at the first instance not given to the appellants and also not produced before this Court in the earlier round of litigants and the writ petition.

3. The matter is ordered to be listed on 21.08.2024.

(A. S. SUPEHIA, J)

(MAUNA M. BHATT,J)

SHRIJIT PILLAI/01