

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 3650 of 2022

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VASANTKUMAR ANDABHAI PATEL

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR GAURAV CHUDASAMA(5660) for the Petitioner(s) No. 1

MS SUMAN MOTLA AGP for the Respondent(s) No. 1,2,3,4

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CORAM:**HONOURABLE MR. JUSTICE NIRAL R. MEHTA**

Date : 24/08/2026

ORAL ORDER

[1] By way of this petition under Article 226 of the Constitution of India, the petitioner has approached this Court with the following reliefs:

“8A. This petition be admitted and allowed.

B. Your Lordships be pleased to issue a writ of Mandamus or any other appropriate writ or direction to the respondent no.2 and 3 to grant promotion from the Deemed Date on Dt.29-09-2020 on the post of Senior Clerk Class-III and also grant the financial benefits pursuant to the said order.

C. Your Lordships be pleased to issue a writ of or any writ or Mandamus other appropriate direction to the respondent no.2

and 3 to quash and set aside the transfer order 25-01-2022 qua the present petitioner passed by the respondent no.3.

D. During the pendency and final disposal of this petition, the respondents may be directed to stay the transfer order Dt.25-01-2022 qua the present petitioner.

E. Any other relief that may be deemed just, also be kindly proper and necessary may granted.”

[2] Heard learned advocate Mr. Gaurav Chudasama for the petitioner and learned A.G.P. Ms. Suman Motla for the respondents.

[3] Learned advocate Mr. Chudasama for the petitioner, at the outset, submitted that during the pendency of present petition, the petitioner has been promoted to the post of Senior Clerk, Class – III. He further submitted that if, at this stage, the petitioner is permitted to approach the authority by way of representation asking, *inter alia*, appropriate deemed date and the respondent – State is directed to decide the representation within some stipulated time, then the ends of justice would be met.

[4] Considering the aforesaid, submissions appear to be

reasonable.

[5] Present petition is accordingly disposed of without entering into the merits of the case, however, reserving liberty in favour of the petitioner to approach the authority by way of representation for redressal of his grievance within a period of four weeks. If any such representation is filed by the petitioner, the respondent authorities shall decide the same in accordance with law within a period of eight weeks thereafter. Direct service is permitted.

CHANDRESH

(NIRAL R. MEHTA,J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: CHANDRESH NATVARBHAI SIDDHAPURA(HC01109), PRIVATE SECRETARY, at High Court of Gujarat on 31/08/2026 11:44:13