

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 1998 of 2026**

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MUKESHBHAI AMRUTLAL PATEL

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR ARPIT KATARIA(11981) for the Petitioner(s) No. 1

MR SP MAJMUDAR(3456) for the Petitioner(s) No. 1

MS FORAM TRIVEDI, AGP for the Respondent(s) No. 1,2,3

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 20/02/2026

ORAL ORDER

1. Heard learned advocate Mr. S. P. Majmudar appearing with learned advocate Mr. Arpit Kataria for the petitioner. Learned advocate for the petitioner states that for no fault of the petitioner and as it is not in the control of the petitioner to ensure that the intake of students is maintained as per the requirement in the school when the school and the petitioner is declared surplus and when the petitioner is ready and willing to serve at any corner of Gujarat, their service conditions may be protected since the school is ordered to be closed down.

2. Learned Assistant Government Pleader Ms. Foram Trivedi for respondent Nos. 1 to 3 could not dispute the above submissions.

3. In view of above, issue Notice returnable on 10.07.2026. In the meantime there shall be status quo qua service conditions of the petitioner in respect of payment of salary and the respondents are directed to continue to pay the salary to the petitioner. However, it would be open for the respondents to avail the services of the petitioner by transferring them at any school within Gujarat as and when the vacancy arises. Learned Assistant Government Pleader Ms. Foram Trivedi waives service of notice on behalf of respondent Nos. 1 to 3. Direct service to respondent No. 4 is permitted.

(NIRZAR S. DESAI,J)

SHRIJIT PILLAI