

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 6724 of 2021
With
R/SPECIAL CIVIL APPLICATION NO. 5793 of 2023

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NARENDRAKUMAR HARIMDAN GADHVI & ORS.

Versus

DIRECTOR OF SOCIAL DEFENSE GUJARAT STATE & ORS.

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Appearance:

MR SP MAJMUDAR(3456) for the Petitioner(s) No.
1,2,3,4,5,6

RUSHABH H MUNSHAW(8958) for the Petitioner(s) No.
1,2,3,4,5,6

MR SANJAY UDHWANI ASSISTANT GOVERNMENT PLEADER for
the Respondent(s) No. 1

NOTICE SERVED BY DS for the Respondent(s) No. 1,2,3,4

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 02/01/2025

ORAL ORDER

1. Today a statement is made by Mr. D. S. Sharma, Deputy Secretary, Social Justice and Empowerment Department, who is present in the Court, whereby he has assured the Court that a decision will be taken and will be placed on the record of this Court on the proposal sent by Social Justice and Empowerment Department within a period of six weeks from today. Learned Assistant Government Pleader Mr. Sanjay Udhwani appearing for the

respondent – State submitted that the proposal is required to be considered by Finance Department and therefore, six weeks time would be required. The aforesaid submission was made by learned Assistant Government Pleader Mr. Sanjay Udhwani to justify the stand of the respondent that the respondent would require six weeks time to decide the proposal.

2. However, the Court finds that the petition is of the year 2021, the grievance of the petitioner relates back to even prior to 2021 and the proposal was sent only on 24.7.2024 i.e. after keeping it with the respondents for a period of more than three years and for that, there is no justification coming forward. Such time frame as prayed for, can not be granted. A litigant cannot be asked to wait indefinitely and cannot be left at the mercy of officers who are moving the proposal and forwarding it to the other departments. What is important is the date on which the notice was issued in the petition. The respondents were aware of the fact that the

petition is pending since 2021 and yet more than three years time was consumed doing almost nothing as it seems prima-facie.

3. Be that as it may, the respondents are directed to take a decision upon the proposal and revert back with appropriate order within a period of three weeks from today. If no decision is taken within a period of three weeks i.e. before next date of hearing, the Court will be compelled to take a serious view. Stand over to **23rd January, 2025.**

(NIRZAR S. DESAI,J)

Pallavi