

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 3414 of 2026**=====
MEHUL GANAPATBHAI VAGHELA & ANR.**Versus****STATE OF GUJARAT & ANR.**
=====**Appearance:****MS KRISHA M BHIMANI(12795) for the Petitioner(s) No. 1,2****MR HENIL SHAH, AGP for the Respondent(s) No. 1****MR PREMAL R JOSHI(1327) for the Respondent(s) No. 2**
=====**CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI****Date : 12/03/2026****ORAL ORDER**

1. Heard learned advocate Ms. Krisha Bhimani for the petitioners. Learned advocate Ms. Bhimani for the petitioners states that the present petitioners are possessing degree of Masters of Technology Infrastructure Engineering and Technology which according to learned advocate for the petitioner is equivalent to the prescribed educational qualification as the respondents have asked for following educational qualification:-

“(ii) A post-graduate degree or post-graduate diploma in City Planning / Town Planning / Regional Planning / Traffic and Transportation Planning / Urban Design / Urban Planning / Infrastructure Planning / Industrial Planning or Environmental Planning obtained from any of the Universities established or incorporated by or under the Central or State Act in India; or

any other educational institution recognized as such or declared to be deemed as a University under section 3 of the University Grants Commission Act, 1956 or institution approved by All India Council of Technical Education;”

2. Learned advocate Ms. Bhimani for the petitioner then drew the attention of this Court to the equivalent certificate issued by the institute wherein the petitioners have studied namely Birla Vishvakarma Mahavidyalaya, Vallabh Vidhyanagar, Anand. The said equivalent certificate dated 04.02.2026 reads as under:-

“ To Whomsoever it May Concern

This is to certify that the M.Tech (Infrastructure Engineering & Technology) programme offered by Birla Vishvakarma Mahavidyalaya (BVM), Vallabh Vidhyanagar, may be considered as equivalent to M.Tech (Infrastructure Planning) to meet the eligibility criteria prescribed by the recruiting bodies.

The above equivalency is certified based on a detailed review and comparison of the concerned programmes and their curriculum structure and subject contents.

This certificate is issued for the purpose of academic clarification and eligibility consideration, on the request of the concerned postgraduate pass-out students of BVM, for submission to the Gujarat Public Service Commission (GPSC) and other competent authorities.

This equivalency certification is issued with the approval of competent authorities fo the

institute, in the interest of facilitating the student's application.

Date: 04/02/2026

Place: Vallabh Vidhyanagar”

3. It is the case of the petitioners that despite the fact that the petitioners are having the qualification which is equivalent to the prescribed qualification and despite having cleared the preliminary round of examination, they are not being considered to appear for the oral interview which is the second round and therefore without creating any equity or right in favour of the petitioners and subject to final outcome of the this petition, the petitioners may be permitted to appear in the interviews that may be held for the post in question.

4. Learned advocate Ms. Bhimani for the petitioners also submitted that the petitioners shall file an undertaking to the effect that if they are permitted to appear in the interview on the basis of their equivalent qualification, they shall not claim any right or equity merely because they are being allowed to participate in the interview.

5. In view of above statement made by learned advocate Ms. Bhimani for the petitioners and subject to filing of undertaking to the above effect before this Court copy of which be forwarded to respondent No. 2 – GPSC, the respondent No. 2 – GPSC is directed to call the petitioners for interview as and when the interviews for the post in question are held. However, their result may be kept in a sealed cover and the same may not be declared till the Court passes any

further order.

6. In view of above directions, issue Notice returnable on 09.04.2026. Learned Assistant Government Pleader Mr. Henil Shah waives service of notice on behalf of respondent No. 1. Direct service to respondent No. 2 is permitted.

SHRIJIT PILLAI

(NIRZAR S. DESAI,J)