

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/SPECIAL CIVIL APPLICATION NO. 5077 of 2023
With
R/SPECIAL CIVIL APPLICATION NO. 4730 of 2023
With
CIVIL APPLICATION (FOR DIRECTION) NO. 1 of 2024
In R/SPECIAL CIVIL APPLICATION NO. 4730 of 2023
With
R/SPECIAL CIVIL APPLICATION NO. 4731 of 2023
With
R/SPECIAL CIVIL APPLICATION NO. 4741 of 2023
With
CIVIL APPLICATION (FOR DIRECTION) NO. 1 of 2024
In R/SPECIAL CIVIL APPLICATION NO. 4741 of 2023
With
R/SPECIAL CIVIL APPLICATION NO. 5391 of 2023
With
R/SPECIAL CIVIL APPLICATION NO. 6047 of 2023
With
R/SPECIAL CIVIL APPLICATION NO. 4867 of 2023
With
R/SPECIAL CIVIL APPLICATION NO. 4888 of 2023
With
R/SPECIAL CIVIL APPLICATION NO. 5831 of 2023
With
CIVIL APPLICATION (FOR DIRECTION) NO. 1 of 2024
In R/SPECIAL CIVIL APPLICATION NO. 5831 of 2023
With
R/SPECIAL CIVIL APPLICATION NO. 5394 of 2023
With
R/SPECIAL CIVIL APPLICATION NO. 5234 of 2023
With
R/SPECIAL CIVIL APPLICATION NO. 5232 of 2023
With
R/SPECIAL CIVIL APPLICATION NO. 5235 of 2023
With
R/SPECIAL CIVIL APPLICATION NO. 5236 of 2023
With
R/SPECIAL CIVIL APPLICATION NO. 5233 of 2023
With
R/SPECIAL CIVIL APPLICATION NO. 5245 of 2023
With
R/SPECIAL CIVIL APPLICATION NO. 5254 of 2023
With
R/SPECIAL CIVIL APPLICATION NO. 5943 of 2023**

=====

JITENDRASINH AJITSINH JADEJA & ORS.

Versus

STATE OF GUJARAT & ORS.

=====

Appearance:

MR K B VIRVADIYA(11272) for the Petitioner(s) No. 1,2,3,4,5

MR. NISHIT P GANDHI(6946) for the Petitioner(s) No. 1,2,3,4,5

ADVANCE COPY SERVED TO GOVERNMENT PLEADER/PP for the
Respondent(s) No. 1

MR DG SHUKLA(1998) for the Respondent(s) No. 2

MS LIPEE D DAVE(12327) for the Respondent(s) No. 3

MS NIDHI VYAS, AGP for the Respondent(s) No. 1

=====

CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL

Date : 16/04/2024

ORAL ORDER

1. Heard learned respective advocates for the petitioners, learned Assistant Government Pleader for the respondent - State and learned advocate for the respondent - Board.

2. Considering the submissions made by learned AGP Ms.Nidhi Vyas, it would appear that the State Government had constituted a committee vide order dated 09.12.2022 pursuant to a request from the respondent - Board vide their communication dated 28.11.2022 for inquiring into the eligibility of the certificates produced by the candidates as regards seven different Universities. It appears that while the affidavit-in-reply would contain the final decision taken by the respondent - Board, the inquiry report is not produced on record.

3. Learned advocate Ms.Meshwa Bhatt for learned advocate Mr.D.G.Shukla appearing on behalf of respondent no.2 – Board in Special Civil Application No.4888/2023 would submit that an affidavit-in-reply has been filed by the Board on 05.04.2024 and whereas, the said affidavit-in-reply contains the inquiry report as regards four Universities.

4. The grievance is being raised by learned advocates for the petitioners that while replies have been preferred, the inquiry report which led to the respondent – Board taking a decision as regards the ineligibility of the petitioners have not been placed on record.

5. Under such circumstances, the respondent – Board is directed to ensure that an appropriate affidavit, individual or consolidated, shall be filed which would contain the inquiry report as relevant to the facts of the petition so as to ensure that the petitioners could meet with the same. Such additional affidavit shall be filed on or before 06.05.2024.

6. List these matters for consideration on 08.05.2024. Interim relief, granted earlier, to continue till then.

(NIKHIL S. KARIEL,J)

Bhoomi