

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 8145 of 2021**

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PAYALBEN BHAILALBHAI SOLANKI

Versus

STATE OF GUJARAT

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Appearance:

MR.AMIT R JOSHI(6682) for the Petitioner(s) No. 1

for the Respondent(s) No. 1,2,3

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CORAM:HONOURABLE MR. JUSTICE A.Y. KOGJE**Date : 20/07/2021****ORAL ORDER**

1. Learned advocate for the petitioner, at the outset, states that pending the petition the selection procedure is completed and another candidate has been appointed over the petitioner though the petitioner was first in merit.

2. Leave is granted to add the successful candidate as party respondent no.4. Upon amendment, **ISSUE NOTICE** returnable on **02.08.2021**. Mr.Ayaan Patel, learned AGP waives service of notice for the respondent-State. Direct service qua respondent nos.2 to 4 is granted.

3. Learned advocate for the petitioner states that though the petitioner was more meritorious, mischievously a certificate was obtained that the petitioner is not resident of Village:Ogan, Tal:Viramgam, Dist:Ahmedabad which certificate thereafter been cancelled by the Mamlatdar vide its communication dated 09.12.2020. Therefore, the issue is under what circumstance and for what reason the Certificate was issued by Talati-cum-

Mantri and Sarpanch on 16.10.2020 that the petitioner is not resident of Village:Ogan since one year prior to the application. Therefore, concerned Talati-cum-Mantri through respondent no.3 shall file an affidavit to that effect. The appointment is subject to outcome of this petition.

GIRISH

(A.Y. KOGJE, J)