

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 4311 of 2026**

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ARVINDBHAI AMARSINHBHAI SOLANKI & ORS.

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR MEET A SHAH(9933) for the Petitioner(s) No.

1,10,11,12,13,14,15,16,16.1,16.2,17,17.1,17.2,18,19,2,20,21,22,23,24,25,26,
27,28,29,3,4,5,6,7,8,9

MS SUMAN MOTLA, AGP for the Respondent(s) No. 1,2,3,4

MR AR THACKER(888) for the Respondent(s) No. 5

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CORAM:HONOURABLE MR. JUSTICE NIRAL R. MEHTA**Date : 04/08/2026****ORAL ORDER**

1. According to learned advocate Mr.Meet Shah appearing for the petitioners, the issue is covered by the interim order dated 16.10.2024 passed by this Court in Special Civil Application No.8329 of 2022, 9467 of 2022, 11582 of 2022 and 13133 of 2022 wherein by relying upon the interim order dated 25.09.2024 passed by the coordinate Bench of this Court in Special Civil Application No.16083 of 2022 and allied matters, in identical set of facts, the coordinate Bench has issued certain directions to the respondent authorities. The direction issued by the coordinate Bench in paragraph 5 of the said order reads thus :-

"5. In view of the aforesaid submissions and taking into consideration the fact that the benefit of the Government Resolution dated 15.10.1984 has already been extended to the similarly situated employees like the petitioners and further taking into consideration the directions passed by the Coordinate Bench of this Court in the Special Civil Application No.18121 of 2017, the following directions are passed in the present batch of petitions :-

(I) All the petitioners herein are directed to approach their respective Colleges/Universities wherein they were serving as a full time employee with the relevant documents of their service record/service details within a period of two weeks from the date of receipt of this order.

(II) Upon receipt of all the relevant documents submitted by the petitioners for grant of the benefit of Government Resolution dated 15.10.1984, the respective Colleges/Universities are directed to forward all such proposals to the respondent - Director of Higher Education, State of Gujarat within two weeks thereafter for processing the said cases for grant of the benefit of the Government Resolution dated 15.10.1984.

(III) Upon receipt of all such proposals from the respective Colleges/Universities, where the writ petitioners were employed, the respondent - Director of Higher Education, in consultation with the Secretary, Education Department and the Secretary, Finance Department, shall take a decision on all such proposals on or before 30.11.2024. While processing such proposals of the writ petitioners, the respondents - Director of Higher Education, Secretary, Education Department and Secretary, Finance Department shall decide the proposals for the grant of benefit of the Government Resolution dated 15.10.1984 in accordance with the Rules and Regulations and the judgment and the orders

passed by the Coordinate Bench of this Court, the learned Division Bench of this Court and the Hon'ble Apex Court as referred to in the present order.

(IV) The proposals of the writ petitioners, if are found eligible by the respondents for the grant of benefit under the Government Resolution dated 15.10.1984, the same shall be processed for necessary action and the financial benefits shall be paid to such writ petitioners on or before 31.01.2025.

(V) The respondents are directed to file a detailed affidavit in respect of the exercise undertaken indicating the numbers of proposals considered, accepted or rejected in respect of the writ petitioners herein before the next date of hearing."

2.1 Subsequently, vide order dated 10th October, 2024, following correction was made by the coordinate Bench in the said order dated 25.09.2024 which read thus :-

"In paragraph No.5(II) of the order dated 25.09.2024, the words "and the Government Resolution dated 14.09.1988" be added."

3. According to learned advocate Mr. Shah, same directions are required to be issued to the respondents to consider the case of the petitioners in respect of grievance of the petitioners.

4. However, it was pointed out by learned Assistant Government Pleader Ms.Suman Motla that in those set of petitions, the Director of Higher

Education, in consultation with the Secretary, Education Department and the Secretary, Finance Department was directed to take decision by 30th November, 2024 considering the fact that the order was passed on 25th September, 2024 and, therefore, in this petition, which has been filed belatedly, suitable directions may be issued so as to see that the Government authorities may get appropriate time to consider the proposals that may be received.

5. Hence, following directions are issued:-

(i) All the petitioners herein are directed to approach their respective University wherein they were serving as a full time employee with the relevant documents of their service record/service details within a period of two weeks from the date of receipt of this order;

(ii) Upon receipt of all the relevant documents submitted by the petitioners for grant of the benefit of Government Resolution dated 14th September, 1988, the respective University is directed to forward all such proposals to the respondent - Director of Higher Education, State of Gujarat within two weeks thereafter for processing the said cases for grant of the benefit of the Government Resolution dated 14th

September, 1988. Learned advocate Mr. Shivang Thacker appearing for the University states that the proposals shall be sent by the University to the State Government latest by 04th September, 2026;

(iii) Upon receipt of all such proposals from the respective University, where the writ petitioners were employed, the respondent - Director of Higher Education, in consultation with the Secretary, Education Department and the Secretary, Finance Department, shall take a decision on all such proposals on or before 19th October, 2026. While processing such proposals of the writ petitioners, the respondents - Director of Higher Education, Secretary, Education Department and Secretary, Finance Department shall decide the proposals for the grant of benefit of the Government Resolution dated 14th September, 1988 in accordance with the Rules and Regulations and the judgment and the orders passed by the Coordinate Bench of this Court, the learned Division Bench of this Court and the Hon'ble Apex Court as referred to in the present order.

(iv) The proposals of the writ petitioners, if are found eligible by the respondents for the

grant of benefit under the Government Resolution dated 14.09.1988, the same shall be processed for necessary action and the financial benefits shall be paid to such writ petitioners on or before 19th December, 2026.

6. With the aforesaid direction, list the matter on 21st December, 2026.

(NIRAL R. MEHTA, J)

ANUP