

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/MISC. CIVIL APPLICATION (FOR CONTEMPT) NO. 910 of
2026**

In R/SPECIAL CIVIL APPLICATION/13377/2025

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MARU NITESHKUMAR ALJIBHAI & ORS.

Versus

MILAN TORWANE & ANR.

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Appearance:

MR SHAIVAL M PATEL(9950) for the Applicant(s) No.

1,10,11,12,13,14,15,16,17,2,3,4,5,6,7,8,9

SWAPNESHVAR GOUTAM(9051) for the Applicant(s) No.

1,10,11,12,13,14,15,16,17,2,3,4,5,6,7,8,9

NOTICE SERVED for the Opponent(s) No. 1,2

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CORAM:**HONOURABLE MR. JUSTICE A.Y. KOGJE**

and

HONOURABLE MS. JUSTICE NISHA M. THAKORE

Date : 14/07/2026

ORAL ORDER

(PER : HONOURABLE MR. JUSTICE A.Y. KOGJE)

1. Learned advocate Mr. Patel for the applicants has drawn our attention to the order of the Hon'ble Apex Court in the case of Dr.H. Phunindre Singh and Others vs. K.K. Sethi and Another reported in **(1998) 8 SCC 640**. He has submitted that even if an appeal is preferred against the order compliance of which is sought and if it is not stayed, then the State is bound to comply with such order and in fact appeal, if any, is preferred has to be taken up only after contempt petition is disposed of, to which, learned Assistant Government Pleader has submitted that the directions issued are in peculiar facts which appeared before the Hon'ble Apex Court.

2. The Court finds that there is no reply in this application.

The only submission that is made today is that the Letters Patent Appeal has been preferred and which is scheduled to be listed on 23.07.2026. Learned advocate for the applicants insist that there is no cause for the respondents to comply with the specific direction of issuing of appointment order in favour of the applicants subject to the outcome of the Letters Patent Appeal that the State has preferred. Today, the Court finds that none of the officers against whom notice has been issued are present before the Court and therefore, the Court deems it fit to order the presence of the respondent no.2 before the Court to report the outcome. Stand over to 17.07.2026.

sd/-

(A.Y. KOGJE, J)

sd/-

(NISHA M. THAKORE, J)

RATHOD KAUSHIKSINH