

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO.6180 of 2026**

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HARIT VIMALBHAI BUCH

Versus

THE DISTRICT AND SESSIONS COURT, JUNAGADH & ANR.

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Appearance :

MR HRIDAY BUCH WITH MR MEET A SHAH for the Petitioner.

MR CHINTAN DESAI for the Respondent No.1.

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 29/04/2026

ORAL ORDER

1. At the outset, learned advocate Mr. Hriday Buch assisted by Mr. Meet Shah for the petitioner states that he may be permitted to join Registrar General, Gujarat High Court as party - respondent No.3. Permission as prayed for is granted. Necessary amendment be carried out forthwith.

2. Learned advocate Mr. Hriday Buch submitted that the petitioner is on deputation with DRT - II, Ahmedabad since 2022 and the petitioner seeks absorption in DRT - II, Ahmedabad for which DRT has no objection and the proposal to the said effect is also sent by the DRT - II, Ahmedabad to the concerned authority. However, it is only on account of the fact that the District Court, Junagadh has not issued no objection to the petitioner, the petitioner is not absorbed in DRT, Ahmedabad. He further submitted that the petitioner's deputation period would be ending on 30.4.2026 i.e. tomorrow and if the petitioner is sent back to the parent department i.e. District Court, Junagadh, in that case, it may adversely affect the proposal of the petitioner for absorption made

by the DRT - II, Ahmedabad. Considering the above, learned advocate Mr. Hriday Buch submitted that as on today, this Court may protect the service conditions of the petitioner by granting status-quo qua service conditions prevailing as on today.

3. Learned advocate Mr. Chintan Desai appearing for the respondent No.1 as well as newly added respondent No.3, vehemently opposed the petition and submitted that the person on deputation does not have legal or vested right to seek absorption. At this juncture, though the matter was argued and no request for adjournment was sought, he requested for time upto tomorrow. However, considering the fact that submissions made by learned advocate Mr. Desai during the course of argument is that District Court, Junagadh is having shortage of staff and, therefore, no objection is not issued by the District Court, Junagadh, upon a specific query from the Court as to whether the petitioner is facing any inquiry related to any misconduct, Mr. Desai was fair enough in admitting that there are no allegations of misconduct and the petitioner is not facing any departmental inquiry.

4. As far as the Mr. Desai's request for grant of time is concerned, considering the fact that the petitioner is likely to be relieved tomorrow, I do not propose to adjourn the matter only for the reason that the respondents may file reply and after considering a valid reason, they may even file an application for vacating the interim relief, but at this stage, when there is nothing against the present petitioner and despite that he has not been issued No Objection certificate in his favour, interest of justice would be served if the respondents are directed not to alter the service conditions of the petitioner and to maintain status-quo qua

the service conditions prevailing as on today.

5. In view of that, **issue notice returnable on 9.06.2026**. Learned advocate Mr. Chintan Desai waives service of notice on behalf of respondent Nos.1 and 3. Direct service for respondent No.2 is permitted.

In the meantime, the respondents are directed not to alter the service conditions of the petitioner and to maintain status-quo qua the service conditions prevailing as on today.

6. It will be open for the respondent Nos.1 or 3 to file an appropriate application for vacating the interim relief, if there are any grounds available to them, after filing affidavit-in-reply.

(NIRZAR S. DESAI,J)

SAVARIYA