

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 9481 of 2021**

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AMITKUMAR JAGDISHBHAI GOHIL

Versus

STATE OF GUJARAT

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Appearance:

MR UI VYAS(1000) for the Petitioner(s) No. 1

MS DHRUMA U VYAS(6850) for the Petitioner(s) No. 1

for the Respondent(s) No. 2,3

ADVANCE COPY SERVED TO GOVERNMENT PLEADER/PP(99) for the
Respondent(s) No. 1

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CORAM: **HONOURABLE MR. JUSTICE A.Y. KOGJE****Date : 12/07/2021****ORAL ORDER**

Issue notice and notice as to interim relief returnable on
20.07.2021.

The petitioner has prayed for grant of interim protection as the petitioner is in service and apprehend that he may be terminated. For this reason, learned advocate relies upon the decision in the case of **Pradeep Navinbhai Patel and ors. V/s. State of Gujarat and ors**, reported in **2014(2) GLH 501**. It is submitted that the issue raised by the petitioner is squarely covered by the decision of this Court.

Considering the reported judgment in the case of **Pradeep Navinbhai Patel (Supra)** which is in case of the lecturers who were appointed on Ad-hoc basis and were sought to be replaced by another set of Ad-hoc Assistant Professor. In such situation, the Court had intervened. In the present case, it is apparent that the petitioner was engaged on contractual appointment under the scheme namely PMKKKY Scheme.

In the facts of the case as the petitioner is on purely contractual basis and that too under a scheme floated by the Central Government, prima-facie the case cited may not benefit the petitioner. Moreover, the main prayer is for regularization and interim prayer is for 'not to terminate". Prima-facie, the petition requires several questions of facts to be decided regarding the terms and conditions of the engagement of the petitioner and nothing on record to suggest that petitioner is terminated.

In view of the aforesaid facts, no case is made out for grant of blanket interim relief as prayed for.

To be heard with Special Civil Application No.7830 of 2021.

SIDDHARTH

(A.Y. KOGJE, J)