

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 10085 of 2008**

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NAIABEN BHIKHUBHAI NAIK

Versus

DISTRICT EDUCATION OFFICER & ORS.

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Appearance:

MR DAKSHESH MEHTA(2430) for the Petitioner(s) No. 1

MR. RUSHANG D MEHTA(6989) for the Petitioner(s) No. 1

MS FORUM SUKHADWALA, ASST. GOVERNMENT PLEADER for the
Respondent(s) No. 3

MR VH DESAI(298) for the Respondent(s) No. 2

RULE SERVED BY DS for the Respondent(s) No. 1,2,3

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CORAM:HONOURABLE MR. JUSTICE MAULIK J.SHELAT

Date : 12/11/2025

ORAL ORDER

1. Learned advocates appearing for the petitioner have filed sick-note/leave note.

2. Learned AGP Ms.Forum Sukhadwala appearing for the respondent - State drawn the attention of this Court to the order dated 17.09.2025 passed by this Court in the matter whereby, she would contend that as such, nothing survives in the matter, inasmuch as, relief as sought for in the prayer clause of this petition is already redressed by the respondent.

3. *Prima facie*, after going through the affidavit-in-reply filed by the respondent - State coupled with its communication/letter dated 27.11.2025 whereby request of the petitioner to seek voluntary retirement is accepted subject to condition as enumerated in the aforesaid letter. In view of the aforesaid, nothing further remains in the matter.

4. Nonetheless, in view of sick-note/leave-note of learned advocates appearing for the petitioner, the matter is kept for further hearing on 14.11.2025.

5. It is made clear that on the next date of hearing, irrespective of sick-note or leave-note, the Court will pass appropriate order in the matter.

6. Stand over to **14.11.2025**. Put up on the top of the board.

(MAULIK J. SHELAT, J)

GAURAV J THAKER

Original copy of this order has been signed by the Hon'ble Judge.

Digitally signed by: GAURAVKUMAR JANARDANBHAI THAKER(HC00951), Principal Pvt. Secretary, at High Court of Gujarat on 12/11/2025 14:07:43