

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 9280 of 2025**

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BHARATI KAPADIA D/O HANSRAJBHAI KAPADIA W/O NARENDRABHAI
GONDALIA

Versus
STATE OF GUJARAT & ORS.

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Appearance:

MR ANAND B GOGIA(5849) for the Petitioner(s) No. 1
MS NIRALI SARDA ASSTT. GOVERNMENT PLEADER for the
Respondent(s) No. 1,2,3

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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL

Date : 07/10/2025

ORAL ORDER

1. Heard learned advocate Mr. Anand Gogia for the petitioner and learned AGP Ms. Nirali Sarda for the respondent State.

2. While vide an order dated 05.08.2025, this Court had inter alia recorded that the rejection of application for VRS is on a prima facie irrelevant condition, as the respondents were permitted to reconsider the application of VRS, it would appear to this Court that the respondents have reconsidered the VRS application of the petitioner, more particularly on the reverted post. The order of reversion under challenge here would prima facie reveal that the reversion is reflected on absolute non-application of mind by the authority concerned. The authority, while observed that the petitioner was promoted in the year 2008 on condition that she would pass CCC examination, it is also recorded that even before the petitioner was promoted, she had passed CCC examination, but from the organization, which was not recognized. It would appear in this regard that the examination taking Body i.e. Babasaheb Ambedkar Open University,

Ahmadabad, is a recognized body and whereas the same has been confirmed by the Division Bench vide an order dated 08.03.2019 in Letters Patent Appeal No.260 of 2019 and allied matters. Thus, it would appear that the order impugned passed by the respondents dated 09.05.2025 is on an absolutely irrelevant consideration and whereas to this Court, it would appear that it is such orders, which are unnecessarily burdening this Court, more particularly inspite of the legal position being absolutely clear in this regard.

3. While this Court would have taken up appropriate steps against the officer concerned, at the fervent request of the learned AGP Ms. Sarada, list this matter on 13.10.2015, on which date appropriate remedial steps should be shown to this Court and whereas failing which appropriate direction for personal appearance of the officer concerned for showing cause as to why contempt proceedings shall not be initiated against him, shall be passed.

Y.N. VYAS

(NIKHIL S. KARIEL,J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: YAGNESH NARENDRABHAI VYAS(HC00207), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 08/10/2025 11:12:10