

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**SPECIAL CIVIL APPLICATION NO. 4752 of 2014**

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DESINGBHAI KANTABHAI BARIA....Petitioner(s)

Versus

DISTRICT PRIMARY EDUCATION OFFICER & 6....Respondent(s)

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Appearance:

MR KB PUJARA, ADVOCATE for the Petitioner(s) No. 1

MS RITU GURU, AGP for the Respondent(s) No. 1 , 3 - 7

MR HS MUNSHAW, ADVOCATE for the Respondent(s) No. 1

NOTICE SERVED BY DS for the Respondent(s) No. 2

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CORAM: HONOURABLE MR.JUSTICE K.M.THAKER**Date : 16/11/2017****ORAL ORDER**

1. Heard Mr.Pujapa, learned advocate for the petitioner and Ms.Guru, learned AGP.

2. Having regard to the facts and circumstances, following order is passed:

RULE.

3. Mr.Munshaw, learned advocate for respondent

No.1 and Mr. for respondent Nos.1, 3 to 7 have waived service of Rule.

4. Mr.Pujara, learned advocate for the petitioner submitted that at the time when the Court passed the order dated 1.4.2014, interim relief against the impugned order was not granted in view of the fact that the respondents contended that the order is implemented. He further submitted that the petitioner would attend superannuation within short time and if the petition is not heard and decided at an early date, the petitioner may also be deprived of retiral benefits as he would not be able to complete minimum qualifying service for pension and other retiral benefits. In this view of the matter, it is clarified that the petitioner has liberty to move application before the Court where the roster of final hearing of the petition is assigned for final hearing at an early date.

(K.M.THAKER, J.)

Bharat