

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**LETTERS PATENT APPEAL NO. 251 of 2017****In****SPECIAL CIVIL APPLICATION NO. 11028 of 2001****With****CIVIL APPLICATION NO. 2652 of 2017****In****LETTERS PATENT APPEAL NO. 251 of 2017**

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STATE OF GUJARAT....Appellant(s)

Versus

MUKUNDBHAI MANGALDAS SHRIMALI....Respondent(s)

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Appearance:

SHRI D.M. DEVNANI, ASSISTANT GOVERNMENT PLEADER for the
Appellant(s) No. 1

SHRI PH PATHAK, CAVEATOR for the Respondent(s) No. 1

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**CORAM: HONOURABLE THE CHIEF JUSTICE MR. R.SUBHASH
REDDY****and****HONOURABLE MR.JUSTICE VIPUL M. PANCHOLI****Date : 13/02/2017****ORAL ORDER****(PER : HONOURABLE THE CHIEF JUSTICE MR. R.SUBHASH REDDY)**

Heard the learned Assistant Government Pleader appearing for the appellant-State of Gujarat. It is mainly contended that the respondent, whose services were terminated in the year 2001 and

in spite of factual disputes, the petition was entertained directly by this Court. It is contended that in spite of the pleas of alternative remedy no finding is recorded by the learned Single Judge.

2. Issue **NOTICE** to the respondent returnable on 30.03.2017. There shall be stay in terms of para 4(b) in Civil Application No.2652 of 2017.

(R. SUBHASH REDDY, CJ)

(VIPUL M. PANCHOLI, J.)

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