

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 11009 of 2010**

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RAVESINH OGHADBHAI BARAD

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR PS CHAMPANERI(214) for the Petitioner(s) No. 1

MS SHRUTI R. DHARUVE, AGP for the Respondent(s) No. 1

RULE SERVED for the Respondent(s) No. 2,3,5

VIRAL K SHAH(5210) for the Respondent(s) No. 6

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CORAM:**HONOURABLE MR. JUSTICE A.S. SUPEHIA**

Date : 13/12/2024

ORAL ORDER

1. This Court, on 09.01.2018, had passed a comprehensive order and had directed the learned Assistant Government Pleader to file a reply explaining the allotting of 2.30 marks to the respondent No.6 under the head of experience. Thereafter, one of the Officer - H.G. Rathod, Education Inspector (Class-II) filed an affidavit dated 01.03.2018, which reads as under : -

"I. H.G. Rathod, Aged : 40 years, as a Education Inspector (Class-2), D.E.O. Office - Gir Somnath do hereby solemnly affirm and state on oath as under :

1. The respondent authorities in compliance of 09.01.2018 to crave leave of this Hon'ble Court to explain the allocation of mark in the case of the petitioner. In this regard, the respondent authorities produced on record a not evidencing the respective allocation for kind consideration of this Hon'ble Court at Annexure-R-1.

Verification

1. What is stated in paragraphs are statement of facts derived from the relevant record and filed and are true to the best of my knowledge and I believe the same to be true.

2. All the documents enclosed with affidavit are the true copies of their originals.

Solemnly affirmed on this 1 day of March, 2018

Deponent."

2. This Court is unable to decipher the contents of the paragraph No.1 of the affidavit. Even the learned Assistant Government Pleader is unable to explain as to what the deponent wants to express in the said affidavit. Thus, it appears that the comprehensive order dated 09.01.2018 is blatantly ignored and the affidavit is perfunctorily filed for the sake of it.

3. Thus, this Court has no option but to impose exemplary costs on the State Government to file such a vague affidavit pursuant to the order dated 09.01.2018. The State Government shall deposit costs of Rs.10,000/- before the Registry of this Court within a period of one week from the receipt of writ of this order. It will be open for the State to recover the said amount from the Officer, who has sworn the affidavit. It is further directed that appropriate affidavit dealing with all the directions issued in the order dated 09.01.2018, shall be filed by the respondent-authorities within a period of two weeks.

4. Registry shall see to it that this order of directing the State to deposit the costs of Rs.10,000/- is complied with.

5. Stand over to **07.01.2025**.

Sd/-
(A. S. SUPEHIA, J)

MAHESH/25