

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 15235 of 2010**

=====

NAINABEN MADANSINH SHAPA & ORS.

Versus

STATE OF GUJARAT THROUGH SECRETARY & ORS.

=====

Appearance:

MR SHALIN MEHTA, SENIOR ADVOCATE WITH MR NINAD P
SHAH(10911) for the Petitioner(s) No. 1,2,3,4,5,6,7,8

GOVERNMENT PLEADER for the Respondent(s) No. 1

MR ASHISH H SHAH(2142) for the Respondent(s) No. 3

MR HS MUNSHAW(495) for the Respondent(s) No. 4

NOTICE SERVED for the Respondent(s) No. 5,6,7,8

RULE NOT RECD BACK for the Respondent(s) No. 9

RULE SERVED for the Respondent(s) No. 1,2,3,4,5,6,7,8

=====

CORAM:HONOURABLE MR. JUSTICE MAULIK J.SHELAT

Date : 18/03/2026

ORAL ORDER

1. In the morning, this Court had dismissed the matter for non-prosecution. Later on, Mr.Shalin Mehta, learned Senior Counsel assisted by Mr.Ninad Shah, learned advocate for the petitioners, brought to the notice of this Court the order dated 12.11.2025 passed by this Court. The aforesaid order reads thus:

“1. As per previous order passed by this Court on 17.09.2025, it was jointly submitted by the learned advocates for the respective parties that outcome of Civil Appeal No. 646 of 2017 pending before the Hon’ble Apex Court would have a direct bearing on the present matter.

2. Learned advocate for the petitioners states that as on date also, the aforesaid appeal is pending for adjudication by the Hon’ble Apex Court.

3. If such would be the position, instead of rotating the matter on board, the matter is adjourned sine die. As and when any final judgment / order passed by the Hon'ble Apex Court in the aforesaid appeal, then-after it is open for the parties to request for listing of this matter."

2. Despite there is a clear order passed by this Court, how the Registry has placed this matter in today's Final Hearing Board before this Court, cannot be appreciated. The Registrar (Judicial) is hereby directed to look into the same and submit the report on the next date of hearing.

3. Stand over to **25.03.2026**.

GAURAV J THAKER

(MAULIK J. SHELAT, J)