

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 11062 of 2017**

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HITESHCHANDRA M BHATT & ORS.**Versus****AHMEDABAD MUNICIPAL CORPORATION**

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Appearance:**MR YOGEN N PANDYA(5766) for the Petitioner(s) No.****1,10,11,2,3,4,5,6,7,8,9****MR HS MUNSHAW(495) for the Respondent(s) No. 1**

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CORAM:HONOURABLE MR. JUSTICE MAULIK J.SHELAT**Date : 16/12/2025****ORAL ORDER**

1. In pursuance to the order dated 17th November 2025, the respondent-Corporation has filed an affidavit on 11th December 2025, which appears to have been sworn by one Amish B. Shah, Chief Accountant of Ahmedabad Municipal Corporation, Ahmedabad, whereby, pointing out that in pursuance to the aforesaid order, the matter was reviewed by officials of the Corporation but they again stuck to its original decision.
2. Prima facie, though there was aforesaid specific order passed by this Court on 17th November 2025, there is no reference of

departmental notes dated 31st May 2007 and 26th August 2010 have been taken into account by any of the officials including the highest officials of the respondent-Corporation while reviewed its decision.

3. It seems that for any personal reason of any official or any extraneous consideration weighed with the officials, they are deliberately not answering the query of the Court and so also hide their own GDEST/H/4261 dated 22nd March 2006 and decision dated 16th March 2006 taken by the Departmental Promotional Committee as referred in departmental note dated 31st May 2007 of the respondent-Corporation. This Court would not like to accept the explanation made in aforesaid affidavit of respondent-Corporation.
4. As such the same is not filed by any competent official as the Corporation requires to be represented through its Municipal Commissioner. In light of the above, if authority has been delegated by the Municipal Commissioner in favour of the Chief Accountant of the respondent-Corporation, then the Chief Accountant of the respondent-Corporation is required to remain present before this Court along with the aforesaid Resolution dated 22nd March 2006 and decision dated 16th

March 2006 taken by the Departmental Promotional Committee as referred in its departmental note dated 31st May 2007.

5. S.O. to 19th December 2025. On the next date of hearing, this matter shall be listed on top of the board.

(MAULIK J.SHELAT,J)

NILESH

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: PARMAR NILESHKUMAR R(HCD0068), ENGLISH STENOGRAPHER GRADE TWO CLASS TWO, at High Court of Gujarat on 16/12/2025 18:38:06