

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 13006 of 2017**

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JAYANTILAL HARILAL CHAUHAN

Versus

STATE OF GUJARAT & 3 other(s)

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Appearance:

MR. NISARG D SHAH(7299) for the Petitioner(s) No. 1

MR JAYNEEL PARIKH, AGP (1) for the Respondent(s) No. 1

NOTICE SERVED BY DS(5) for the Respondent(s) No. 2,3,4

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CORAM: HONOURABLE MR.JUSTICE N.V.ANJARIA**Date : 20/06/2019****ORAL ORDER**

In the previous petition being Special Civil Application NO.12972 of 2011 filed by the petitioner herein, this Court, as per order dated 30th August, 2011, disposed of the same and directed as under.

"5. As and when such representation made by petitioner is received by respondent authority, it is directed to respondent authority to consider representation which will be made by petitioner and then also to examine case of petitioner in view of order of this court in Special Civil Application No. 7323 of 2010 dated 25.6.2010 and Special Civil Application No. 5661 of 2011 dated 28.4.2011 and also to consider Office Order No.85 of 2011 dated 2nd April, 2011 issued by respondents in pursuance to order passed by this Court in Special Civil Application No.7323 of 2010 in favour of petitioners of that petition and also to consider as to whether case of petitioner herein is exactly similar to other cases which have been referred to above or not and then to pass appropriate reasoned order within period of two months from date of receiving representation from petitioners and immediately communicate order to petitioners as early as possible. Let petitioners may supply copy of order of this court dated 25.6.2010 in Special Civil Application No.7323 of 2010 and copy of

order of this court dated 28.4.2011 in Special Civil Application No. 5661 of 2011 and also to supply copy of office order dated 85/11 dated 2nd April, 2011 along with representation that may be made by petitioner to respondents.

6. With these observations and directions, this petition is disposed of by this court without expressing any opinion on merits. Direct Service is Permitted."

2. Learned advocate Mr.Nisarg Shah for the petitioner raised a grievance that despite the above direction and representation which was already made by the petitioner, the same has still not been decided. It was therefore that, he submitted, the present petition was required to be filed.

3. This petition was also filed in the year 2017 and till date the respondents have not moved themselves. Therefore, by way of interim relief, it is directed that the respondents shall take appropriate decision as directed in paragraph 5 of Special Civil Application No.12972 of 2011 before the next date of posting of the petition.

4. The petition may be posted next on 15th July, 2019, to be listed at 02.30 p.m.

5. Direct service is permitted. In addition to the direct service, learned Assistant Government Pleader shall also communicate the authority concerned in respect of the compliance needed of the above order before the next date.

(N.V.ANJARIA, J)

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