

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 3278 of 2025

With

R/SPECIAL CIVIL APPLICATION NO. 3340 of 2025

With

R/SPECIAL CIVIL APPLICATION NO. 3341 of 2025

With

R/SPECIAL CIVIL APPLICATION NO. 3342 of 2025

With

R/SPECIAL CIVIL APPLICATION NO. 3347 of 2025

With

CIVIL APPLICATION (FOR DIRECTION) NO. 1 of 2026

In R/SPECIAL CIVIL APPLICATION NO. 3347 of 2025

With

R/SPECIAL CIVIL APPLICATION NO. 3348 of 2025

With

R/SPECIAL CIVIL APPLICATION NO. 3425 of 2025

With

R/SPECIAL CIVIL APPLICATION NO. 3426 of 2025

With

R/SPECIAL CIVIL APPLICATION NO. 3430 of 2025

With

R/SPECIAL CIVIL APPLICATION NO. 10075 of 2025

With

R/SPECIAL CIVIL APPLICATION NO. 3427 of 2025

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R/SPECIAL CIVIL APPLICATION NO. 10076 of 2025

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R/SPECIAL CIVIL APPLICATION NO. 10077 of 2025

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R/SPECIAL CIVIL APPLICATION NO. 10078 of 2025

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R/SPECIAL CIVIL APPLICATION NO. 10746 of 2025
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R/SPECIAL CIVIL APPLICATION NO. 10752 of 2025
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R/SPECIAL CIVIL APPLICATION NO. 10753 of 2025
With
R/SPECIAL CIVIL APPLICATION NO. 10754 of 2025

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YASH PRABHUDANBHAI GADHAVI
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MS MEGHA JANI WITH MR MIT S THAKKAR(11223) for the Petitioner(s) No. 1
 MS DHARITRI PANCHOLI AGP for the Respondent(s) No. 1
 MR GURUSHARAN VIRK AGP ASSISTED BY MR PREMAL JOSHI WITH
 MR CHAITANYA S JOSHI(5927) for the Respondent(s) No. 2

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CORAM: HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 22/01/2026

ORAL ORDER

1. Heard learned Senior Advocate Ms. Megha Jani, appearing with learned Advocate Mr. Mit Thakkar for all the petitioners; learned Government Pleader Mr. Gursharan Virk, assisted by learned Advocates Mr. Premal Joshi and Mr. Chaitanya Joshi for the GPSC; and learned AGP Ms. Dharitri Pancholi.

2. Pursuant to the order dated 25th November, 2025, an affidavit was filed by Mr. A. M. Kansagra, Joint Secretary, on 09.12.2025, and thereafter, a further affidavit was tendered before this Court by learned Government Pleader Mr. Gursharan Virk, signed by the same officer and affirmed on 22nd January, 2026, i.e., today. However, on the ground of confidentiality, learned G.P. Mr. Virk apprised this Court that, considering the nature of the mode and method adopted in conducting the GPSC examinations, the affidavit dated 09.12.2025 as well as the affidavit placed before this Court today have been filed merely to honour the directions of this Court, but the same may not be taken on record, as this Court has already perused the said affidavit along with other confidential documents produced in a sealed cover by learned G.P. Mr. Virk, which were also permitted to be perused by learned Senior Advocate Ms. Megha Jani. The aim and intention behind the order dated 25th November, 2025, as well as filing of the affidavit and production of confidential documents before this Court was to ensure that sufficient confidence and trust are established in the functioning of the GPSC, and that no doubt whatsoever remains in the mind of any litigant or of the Court regarding the manner in which the GPSC functions. Therefore, it was requested that once the Court is satisfied, the affidavits and documents may be

returned to the GPSC.

3. With regard to the above request, learned Senior Advocate Ms. Jani expressed certain reservations. However, this Court finds it proper that the affidavit dated 22.01.2026 be kept in a sealed cover along with the main matter, without taking on record the copy of the affidavit filed today, which is a more elaborate affidavit. Accordingly, a copy of the affidavit dated 22nd January, 2026 was provided to learned Advocate Mr. Mit Thakkar only for the purpose of perusal, and learned Senior Advocate Ms. Jani was gracious enough to accept the suggestion of the Court as far as keeping the original affidavit on record but in a sealed cover.

4. However, learned Senior Advocate Ms. Jani expressed an apprehension that in the event the affidavits are kept in a sealed cover, the gist thereof may be incorporated in the order, so as to ensure that none of the litigants or persons of the general public, who may be aspirants for appearing in the GPSC examinations, are kept in the dark regarding the functioning of the GPSC, though may be in a very restricted way.

5. Accordingly, the present order is being passed. Vide order

dated 25th November, 2025, this Court had posed certain questions to the GPSC, which have been answered by way of affidavits dated 09.12.2025 and 22nd January, 2026, i.e., today.

6. The sum and substance of the affidavits is that the GPSC has pool of experts in respect of each subject, I am not disclosing the number though the said numbers were shown to the Court and perused by learned Senior Advocate Ms. Jani as well. At one point of time, in respect of only handful of subjects, i.e., about three or four, this Court found that the number of experts was required to be increased, and learned G.P. Mr. Virk assured the Court that the sentiments expressed by the Court would be duly taken care of.

6.1. Further, as regards the revision of the pool of experts, this Court finds that the same is updated from time to time, and that the system of inviting experts is by way of invitation, for which a watertight procedure is adopted by the GPSC. The manner in which the GPSC functions and carries out the said exercise, though disclosed in the affidavits, I do not deem it appropriate to disclose the same in this order.

6.2. As regards proofreading, it was apprised to the Court that

ample care is taken while proofreading the question papers prepared by the paper-setters. However, learned Senior Advocate Ms. Jani offered certain suggestions in this regard, and therefore, she was requested to submit all her suggestions concerning the affidavits and documents perused by her. She may forward her suggestions in a sealed cover to the concerned authority of the GPSC through learned G.P. Mr. Virk, which the GPSC shall consider objectively.

6.3. The most important part of the affidavit is the seriousness and sincerity with which the GPSC has dealt with paper-setters who have failed to maintain the prescribed standards and were found to be at fault. The affidavit revealed that a certain number of paper-setters have been subjected to disciplinary action, including debarment either for a limited period or permanently, which prima facie indicates that the GPSC is serious about maintaining the highest standards in the conduct of examinations.

6.4. As far as the procedure for resolving disputes relating to the correctness of answers to any question is concerned, the same has been elaborately addressed in the affidavit, and upon reading thereof, this Court is prima facie satisfied with the manner in which such disputes are being dealt with by the

GPSC. However, any suggestions to further improve the system are welcome, as stated by the learned advocates appearing for the GPSC.

7. Considering the aforesaid facts, the affidavit dated 22nd January, 2026 is directed to be kept in a sealed cover along with the record of this petition and shall not be opened unless further orders by this Court.

8. This order is passed in open Court with the consent of learned Senior Advocate Ms. Jani, learned G.P. Mr. Virk, and all learned counsel appearing in the matter, and any suggestions that may be forwarded by Ms. Jani through the office of learned G.P. shall be duly considered by the GPSC.

9. After the order was dictated, the Court asked learned Senior Advocate Ms. Jani and learned G.P. Mr. Virk as to whether anything was left out, and both the learned counsel stated that the gist of the affidavits has been incorporated in the order and that nothing is left out.

10. In view of the above, list the matters on 02.02.2026.

**ORDER IN CIVIL APPLICATION (FOR DIRECTION) NO. 1 of
2026**

In R/SPECIAL CIVIL APPLICATION NO. 3347 of 2025

1. Heard learned Senior Advocate Ms. Megha Jani, with learned advocate Mr. Mit Thakkar, appearing for the petitioner; learned AGP Mr. Dharitri Pancholi appearing for respondent No.1 – State; and learned advocate Mr. Chaitanya Joshi appearing for respondent No.2.

2. Learned Senior Advocate Ms. Jani submits that, considering the fact that the petitioners were permitted to participate in the main examination and that the GPSC was directed to keep their results in a sealed cover, and now in view of the fact that the results of other candidates have already been published while the petitioners' results are still kept in a sealed cover, the GPSC may be directed to produce the sealed cover containing the results of all the petitioners of this group, which may be opened by the Court on that day.

3. Learned advocate Mr. Chaitanya Joshi could not object to the above submission of learned Senior Advocate Ms. Jani. Hence, the GPSC is directed to produce the sealed cover on 02.02.2026 in respect of all the petitioners of the present

group, and on that day, after opening the sealed cover, necessary orders shall be passed. The present civil application stands disposed of.

BHAVIN MEHTA

(NIRZAR S. DESAI,J)