

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/LETTERS PATENT APPEAL NO. 1322 of 2025****In R/SPECIAL CIVIL APPLICATION/1138/2025**

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VIJAY SEVARAM WADHWANI

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR AMAN A SAMA(11691) for the Appellant(s) No. 1

MR. MRUNAL DHOLARIA, ASST. GOVERNMENT PLEADER for the
Respondent(s) No. 1,2,3

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CORAM:HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA

and

HONOURABLE MR.JUSTICE J. L. ODEDRA**Date : 05/05/2026****ORAL ORDER****(PER : HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA)**

1. It is a case of the appellant that, under the GR dated 17.10.1994, he was entitled to a higher pay grade on the completion of 6, 13, and 19 years. It is his case that he joined service on 04.04.1977, and he was granted a higher pay grade only on the completion of six years, i.e., in the year 1983. Learned counsel submits that the 2nd higher pay grade that he was entitled to in 1990 and the 3rd higher pay grade that he was entitled to in 1996 have not been granted to him.
2. The learned Single Judge, however, has placed reliance on the GR of the year 2001 and has come to the conclusion that the petitioner had resigned in 2008, and therefore he was not entitled for higher pay grades as envisaged in the GR dated

11.05.2001.

3. Prima facie, since the appellant is claiming the benefit of the GR of 1994, we are inclined to issue notice to the respondents, returnable on 11.06.2026.
4. Learned AGP Mr. Mrunal Dholaria waives service of notice for Respondent Nos. 1, 2, 3, and 5. Direct service is permitted qua Respondent No. 4.
5. Respondent No. 4 shall state on affidavit as to whether the appellant is entitled for higher pay grades under the GR of the year 1994 and, if so, whether any higher pay grades were given to the appellant pursuant to the said GR.

(N.S.SANJAY GOWDA,J)

(J. L. ODEDRA, J)

Mehul Desai

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: MEHULKUMAR BHIMABHAI DESAI(HCD0075), ENGLISH STENOGRAPHER GRADE TWO CLASS TWO, at High Court of Gujarat on 08/05/2026 18:01:10