

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/MISC. CIVIL APPLICATION (FOR CONTEMPT) NO. 2575 of 2025****In R/SPECIAL CIVIL APPLICATION/9396/2024**

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JESINGBHAI TALSHIBHAI MAKWANA

Versus

ARUNKUMAR SOLANKI, SECRETARY & ORS.

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Appearance:

MR NILESH M SHAH(780) for the Applicant(s) No. 1

MR DHAWAN JAYSWAL AGP for the Opponent(s) No. 1,2,3,4,5

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CORAM:HONOURABLE MR. JUSTICE BHARGAV D. KARIA

and

HONOURABLE MR.JUSTICE L. S. PIRZADA**Date : 05/02/2026****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE BHARGAV D. KARIA)**

1. This application is filed for willful disobedience of the directions issued by this Court vide order dated 08.07.2025 passed in Special Civil Application No.9396 of 2024, which reads as under:-

"8. Having regard to the fact that the petitioner is identically situated to the petitioners of the above writ petition, the benefits as had been granted in case of the co-employees, should also be made available to the petitioner. Hence, the following directions.

"(i) The Communication dated 16.11.2016 is hereby quashed and set aside.

(ii) The respondents are directed to reconsider the case of the petitioner, while calculating the services of the petitioner as continuous from the date of entry in service.

(iii) All benefits as it may available to the petitioner under Government Resolution dated 17.10.1988 read with Government Resolution dated 15.09.2014 shall be made available to the petitioner, within a period of 12 weeks from the date of receipt of this order.

(iv) Liberty is reserved in favour of the petitioner to approach this Court by filing a fresh application in case of difficulty.”

2. Learned advocate Mr.Nilesh M. Shah appearing for the applicant submitted that by notice dated 14.08.2025, it was brought to the notice of the respondents about the aforesaid order passed by this Court and to grant the benefit of the Government Resolution dated 17.10.1988 to the applicant with effect from 01.01.1989, to give notional benefits from 01.01.1989 to 28.10.2010 with revised pay-scale, to give the difference of salary and all the consequential benefits. It was also pointed out that the said notice was served upon the respondents on 18.08.2025. It was submitted by learned advocate Mr.Nilesh Shah that in spite of the notice issued by the applicant, the respondents have not complied with the order till date.

3. It was, therefore, submitted that there is a willful disobedience of the order passed by this Court and, therefore, this application is filed and necessary orders may be passed, framing charges under the provisions of the Contempt of Courts Act, 1971.

4. Learned advocate Mr.Nilesh Shah, referring to the additional affidavit of the applicant, submitted that the notice dated 14.08.2025 was replied by letter dated 28.08.2025,

intimating the applicant that the procedure for compliance of the order passed by this Court is under process. Reference is also made to the letter dated 01.10.2025 issued by the respondent No.4 - Range Forest Officer, intimating the applicant that the proposal is made to the higher authority and the benefits shall be provided to the applicant. It was submitted that in spite of the aforesaid intimations, the applicant has not received any amount till date.

5. The respondents are, therefore, directed to remain present, physically or virtually, before this Court on 06.02.2026. In addition to the respondents, the Finance Secretary of the State of Gujarat is also ordered to remain present, physically or virtually, before this Court to resolve the issues of non-compliance of the orders for want of the approval of the Finance Department of the State Government and causing delay and contempt of the orders passed by this Court.

6. Copy of this order be communicated to the respondents by the Registry forthwith through learned Assistant Government Pleader Mr.Dhawan Jayswal.

Stand over to 06.02.2026.

(BHARGAV D. KARIA, J)

(L. S. PIRZADA, J)

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