

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/MISC. CIVIL APPLICATION (FOR CONTEMPT) NO. 2849 of 2025
In R/SPECIAL CIVIL APPLICATION/21891/2022**

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KANTIBHAI RUPABHAI MANAT

Versus

SWAROOP P, IAS PRINCIPAL SECRETARY & ORS.

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Appearance:

MR AS ASTHAVADI(3698) for the Applicant(s) No. 1

MR. AAKASH GUPTA, AGP for the Opponent(s) No. 1,2,5

NOTICE SERVED for the Opponent(s) No. 3,4

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CORAM:HONOURABLE MR. JUSTICE A.Y. KOGJE

and

HONOURABLE MS. JUSTICE NISHA M. THAKORE

Date : 17/07/2026

ORAL ORDER

(PER : HONOURABLE MR. JUSTICE A.Y. KOGJE)

1. This petition is filed seeking compliance of the directions contained in order dated 12-03-2025 passed in Special Civil Application No.21891 of 2022. The directions issued are as under:

“7. In view of that, following directions are issued:-

1. The petitioner is directed to make a fresh representation to the respondents within a period of two weeks from today. Upon receipt of such representation, the respondents are directed to take a decision upon the same by passing a reasoned order and to communicate the same to the petitioner within a period of three months from the date of receipt of such representation.”

2. The Court has taken into consideration the Affidavit in reply filed on behalf of the respondent No.5, wherein it is deposed as under:

“5. I say and submit that in compliance with the aforesaid directions, the respondent authorities have duly considered the representation of the petitioner. I state that the Panchayat Department has granted approval for the First Higher Grade Pay Scale vide order dated 22.01.2026. (The copy of the approval order dated 22.01.2026 is annexed and marked herewith as Annexure R-2).

6. I further submit that substantial monetary compliance has been achieved, as the difference amount of the First Higher Pay Scale, totaling Rs. 10,23,277/-, has already been paid/disbursed to the petitioner. (The copy of proof of payment is annexed and marked herewith as Annexure R-3).

7. I state and submit that in further compliance with the directions to regularize the petitioner's benefits following his exoneration, the department has issued an order dated 17.04.2026 granting Deemed Date to the petitioner with effect from 26.07.2016 (The copy of the order dated 17.04.2026 is annexed and marked herewith as Annexure R-4).

8. I state and submit that the department has issued a revised circular dated 21.04.2026 granting Seniority to the petitioner. (The copy of the revised circular dated 21.04.2026 is annexed and marked herewith as Annexure R-5).

9. I state and submit that regarding the grant of the Second Higher Grade Pay Scale, the proposal is currently under consideration by the competent authority. The respondents are processing the same with due diligence to ensure that any remaining legitimate dues of the petitioner are finalized in accordance with the law.

10. I respectfully state and submit that since the respondents have already demonstrated bona fide compliance by disbursing a substantial sum of Rs.10,23,277/- and granting deemed date and seniority benefits, it is noticeable that there is no intent to delay or deny the benefits rightfully due to the petitioner. I submit that no case for willful disobedience is made out as the directions of this Hon'ble Court have been substantially implemented.”

3. Today, when the matter is taken up, learned AGP has placed on record yet another communication dated 16-07-2026 indicating further payments being made. In all approximate amount of Rs.20,00,000/- (Rupees Twenty Lakhs only) has been received by the petitioner, which according to the Court is substantial compliance. Though in the directions compliance of which is sought for, there is no specific directions to payment of any specific amount and only request to decide the decision of the representation.

4. The Court is satisfied that the directions in letter and spirit appears to have been complied with and therefore, no further action is required to be taken. In view of the aforesaid, ***the Petition stands disposed of.*** Notice is discharged.

(A.Y. KOGJE, J)

(NISHA M. THAKORE,J)

PARESH SOMPURA