

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/LETTERS PATENT APPEAL NO. 347 of 2025
In
R/SPECIAL CIVIL APPLICATION NO. 394 of 2025
With
R/LETTERS PATENT APPEAL NO. 348 of 2025
In
R/SPECIAL CIVIL APPLICATION NO. 376 of 2025
With
R/LETTERS PATENT APPEAL NO. 349 of 2025
In
R/SPECIAL CIVIL APPLICATION NO. 347 of 2025
With
R/LETTERS PATENT APPEAL NO. 351 of 2025
In
R/SPECIAL CIVIL APPLICATION NO. 381 of 2025
With
R/LETTERS PATENT APPEAL NO. 352 of 2025
In
R/SPECIAL CIVIL APPLICATION NO. 382 of 2025
With
R/LETTERS PATENT APPEAL NO. 353 of 2025
In
R/SPECIAL CIVIL APPLICATION NO. 384 of 2025

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**SARDAR VALLABHBHAI PATEL INSTITUTE OF
TECHNOLOGY & ANR.**

Versus

KIRTI H NIRALGIKAR & ANR.

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Appearance:

MR PA JADEJA(3726) for the Appellant Nos. 1,2
HARSHESH R KAKKAD(7813) for the Respondent No. 2
MR SANDIP H MUNJYASARA(10781) for the Respondent No. 1

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CORAM: HONOURABLE MR. JUSTICE A.S. SUPEHIA
and
HONOURABLE MS. JUSTICE NISHA M. THAKORE

Date : 07/03/2025
COMMON ORAL ORDER
(PER : HONOURABLE MR. JUSTICE A.S. SUPEHIA)

1. In the present group of appeals, the judgement and order dated 28.01.2025, passed by the learned Single Judge fixing the date of 31.07.2025 for deciding all the applications by the Gujarat Educational Service Tribunal (“the Tribunal” for short) has been challenged.
2. We have heard the learned advocates appearing for the respective parties only on the issue of fixing the date of 31.07.2025.
3. Learned Advocate Mr.Jadeja appearing for the appellants has submitted that on a similar issue, the very same learned Single Judge has fixed the date of 30.04.2025 for deciding the application vide order dated 17.02.2025 passed in Special Civil Application No.965 of 2025, and hence the date of 31.07.2025 may be altered to 30.04.2025.
4. During the discussion on the fixing of the aforesaid date of 31.07.2025, and conducting of the proceedings by the Tribunal, learned advocates Mr.Jadeja, and Mr.Munjyasara, have jointly submitted that the Bench of the Tribunal is not functioning in regular timings and in fact the matters are conducted for the limited hours ranging from 1 hour to 1-½ hours. It is submitted that the concerned Presiding Officer/s preside only after 12:00 O’clock, and within a span of 1 to 1-½ hours, the proceedings are over.
5. It is also reported by the learned advocates for the respective parties that no CCTV cameras are installed

in the Tribunal, and facility of Virtual Hearing is also not available and the District Education Officers, from various districts, have to travel from long distance, and ultimately the proceedings are prolonged, though the issue raised in the matters is trivial.

6. Mr.Munjyasara, and Mr.Jadeja, learned advocates have submitted that though in the present matters, very short issue is involved and could be over within few hearings, the matters have been dragged for more than 1-½ years.
7. Mr.Munjyasara, learned advocate for the respondent no.1 requests for some time in order to take instructions in the matter.
8. Since the learned advocates appearing for the respective parties have raised serious issue relating to the functioning of the Tribunal, we direct the Chief Secretary, Education Department, Gandhinagar to produce a report before this Court pointing-out the functioning of the Presiding Officer/s of the Tribunal. The Registrar General, High Court of Gujarat, is also directed to call for the information with regard to the functioning of the Presiding Officer/s of the Tribunal from the Registrar of the Tribunal, and place the report before this Court. It will be open for the respective Officers (Secretary and Registrar) to record statements of stakeholders. Such reports shall be placed by the next date of hearing.

9. Registry is directed to intimate the present order to the Secretary, Education Department, and Legal Department for information and onward compliance.
10. Stand over to **25th March, 2025**.
11. Registry is also directed to keep a copy of this order in the connected matter.

Sd/-
(A. S. SUPEHIA, J.)

Sd/-
(NISHA M. THAKORE, J.)

AMAR RATHOD...