IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 15586 of 2026

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KANKUBEN DHANABHAI MAKWANA

Versus

STATE OF GUJARAT & ORS.

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Appearance:
MR VAIBHAV A VYAS(2896) for the Petitioner(s) No. 1
MS NIDHI VYAS AGP for the Respondent(s) No. 1,2
MR DIPEN K DAVE(3296) for the Respondent(s) No. 3,4

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CORAM:**HONOURABLE MR. JUSTICE ANIRUDDHA P. MAYEE**

Date : 23/10/2026

ORAL ORDER

[1] The petitioner principally seeks a declaration that her initial service rendered on ad-hoc basis be treated as continuous with the service rendered by her pursuant to her regular appointment, for all purposes, including fixation of pay, leave, promotion, pension and all other consequential service benefits, together with arrears of pay and allowances.

[2] At the outset, learned advocate appearing for the petitioner as well as the respondents, with a view to curtail the controversy and facilitate an expeditious resolution, have jointly suggested a workable mechanism, which is broadly acceptable to all concerned.

[3] It is agreed that the petitioner shall approach the District Panchayat where she was last posted, within a period of 15 days from the date of receipt of this order, by furnishing all requisite particulars in the form of a checklist to facilitate verification of her claim. Upon receipt of the requisite details from the petitioner, the District Panchayat shall verify the particulars so furnished and forward its proposal/ recommendation, along with the relevant records, to the Panchayat Department of the State Government within a period of three months. Upon receipt of such proposal/recommendation from the concerned District Panchayat, the Panchayat Department shall examine the claim and extend the benefits to the petitioner if her case is found to be covered by the principles laid down in Special Civil Application No. 2213 of 2024 and allied matters. It is, however, clarified that if, upon examination of the factual matrix and the service particulars, the State Government finds that the case of the petitioner is distinguishable from the facts considered in Special Civil Application No.2213 of 2024 and allied matters, it shall be open to the State Government to take an appropriate decision in accordance with law. In such an eventuality, where the claim of the petitioner is not found to be covered by the aforesaid decision, the competent authority shall pass a reasoned order assigning specific reasons for such conclusion. The entire exercise of consideration and decision-making by the State Government shall be completed within a period of four months from the date of receipt of the proposal /recommendation from the District Panchayat.

[3.1] It is further clarified that if the State Government finds that the claim of the petitioner is squarely covered by the decision rendered in Special Civil Application No.2213 of 2024 and allied matters, the consequential service benefits shall be extended to the petitioner, as expeditiously as possible and preferably within a period of four months thereafter.

[4] With the aforesaid directions and observations, the petition stands disposed of accordingly.

[5] Learned advocate appearing on behalf of the District Panchayat submits that she has received instructions to appear. The Registry shall accept her Vakalatnama.

(ANIRUDDHA P. MAYEE, J.)

cmk

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: CHANDRASHEKHAR MAHESHKUMAR KOSHTI(HC01066), Principal Pvt. Secretary, at High Court of Gujarat on 26/10/2026 13:47:36