IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO.18932 of 2017
With
CIVIL APPLICATION (FOR DIRECTION) NO.1 of 2018
In
R/SPECIAL CIVIL APPLICATION NO.18932 of 2017

FOR APPROVAL AND SIGNATURE :

HONOURABLE MR. JUSTICE NIRZAR S. DESAI Sd/-

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Approved for Reporting	Yes	No
		NO

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DEKAVADIYA NIRUPABEN BHAVANJIBHAI & ORS.
Versus
STATE OF GUJARAT & ORS.

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Appearance :
MR YN RAVANI for the Petitioners.
MS DEVANSHI PATEL, AGP for the Respondent Nos.1 to 4.
MR BHUSHAN B OZA for the Respondent No.5.

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CORAM:**HONOURABLE MR. JUSTICE NIRZAR S. DESAI**

Date : 04/02/2026
ORAL JUDGMENT

1. By way of this petition, the petitioner has prayed for the following reliefs :-

> "A) YOUR LORDSHIPS may kindly be pleased to issue a writ of mandamus and/or any other appropriate writ, order or direction in nature of mandamus directing the State Government of Gujarat and respondent Nos.2 to 4 herein to

recognize the degree of students who have passed their graduation and post graduation from colleges having affiliation with respondent No.5 SNDT University for the purpose of various posts which are to be recruited by various agencies of the State of Gujarat.

B) Pending admission, hearing and/or final disposal of this petition, YOUR LORDSHIPS may be pleased to direct the State Government and respondent Nos.2 to 4 herein to direct their officials to recognize the degree of students who have passed their graduation and post graduation courses from colleges having affiliation with respondent No.5 SNDT University with immediate effect i.e. during the on-going process of recruitment of teachers and also for the recruitment which may take place in the near future."

2, Learned advocate Mr. Y. N. Ravani states that the issue involved in this petition is squarely covered by decision dated **30.1.2020 of coordinate Bench of this Court in the case of Divya Dhirajlal Joshi v. State of Gujarat and others, Special Civil Application No.16736 of 2017**, which has further been confirmed in **Letters Patent Appeal No.915 of 2020 by the Division Bench of this Court vide order dated 2.12.2020**, as well as the **order dated 9.10.2025 passed by the coordinate Bench of this Court in the case of Kumari Madri Girishbhai Joshi and another v. Director and others, Special Civil Application No.6584 of 2017**.

3. He further submitted that the short question is that the petitioner Nos.1 to 10 have passed their graduation from I. S. Desai Mahila Arts College, Becharaji and petitioner Nos.11 to 14 have passed their graduation from Saraswati Mahila Arts College, Ranela, Taluka & District Mehsana and both the Colleges were affiliated to the respondent No.5 – Shreemati Nathibai Damodar Thackersey Women's University. However, in view of the fact that this Court vide order dated 8.9.2011 passed in Special Civil Application No.8031 of 2010 held that SNDT Women's University, Mumbai has no control over the Colleges situated in Gujarat, vide Government Resolution dated 1.9.2012, the State Government resolved that the affiliation of the College situated in Gujarat who were affiliated with SNDT Women's University would be asked to discontinue the affiliation with the said University and they will have to get the affiliation of University situated in Gujarat. However, the present petitioners have studied in colleges affiliated with SNDT Women's University and, therefore, their degrees were not recognized for the purpose of recruitment by various agencies of the State of Gujarat and, therefore, the present petition is preferred.

4. According to learned advocate Mr. Ravani, the issue is covered by the decision dated 30.1.2020 of coordinate Bench of this Court in the case of Divya Dhirajlal Joshi v. State of Gujarat and others rendered in Special Civil Application No.16736 of 2017 wherein in similar set of facts, the coordinate Bench of this Court while allowing the petition directed the State Government to appoint the petitioners pursuant to the selection which was undertaken by the respondents by taking into consideration the

subsequent Government Resolution dated 26.11.2019 issued by the State Government by holding that the petitioners of that petition who were almost identical to the present petitioners also would be beneficiary of the policy decision taken by the State Government vide Government Resolution dated 26.11.2019.

5. Learned advocate Mr. Ravani also submitted that the aforesaid decision dated 30.1.2020 was challenged by the State Government before the Division Bench of this Court by filing Letters Patent Appeal No.915 of 2020 and the Division Bench vide order dated 2.12.2020 dismissed the appeal preferred by the State Government. He further submitted that by the said order, the persons who are identically situated to the petitioners were held to be eligible on the basis of their degree from the SNDT University to be considered to be a valid for the various posts which may be advertised by the State.

6. Learned advocate Mr. Ravani also submitted that in another petition of similar nature i.e. Special Civil Application No.6584 of 2017 preferred by Kumari Madri Girishbhai Joshi and another, the coordinate Bench vide order dated 9.10.2025 has also taken similar view and held that the petitioner No.1 of that petition be appointed, who had already cleared the qualifying examination pursuant to the recruitment process undertaken by the respondents who also had passed and got the degree from SNDT University. According to learned advocate Mr. Ravani, both the above decisions clearly cover the issue involved in this petition and, therefore, this petition may also be allowed in terms of prayer made.

7. Ms. Devanshi Patel, learned Assistant Government Pleader though vehemently opposed the petition, could not point out that the order passed by the Division Bench of this Court in Letters Patent Appeal No.915 of 2020 was further carried before the Hon'ble Supreme Court and also could not point out that there is any other view taken by any another coordinate Bench other than the view taken by the two coordinate Benches of this Court.

8. In view of the above facts, which could not be disputed by learned AGP Ms. Devanshi Patel by pointing out any material which would justify to oppose the petition, the Court is of the view that the issued involved in this petition is squarely covered by the decisions relied upon by learned advocate Mr. Ravani. Accordingly, the present petition is allowed in terms of prayer 13 (A), which is already reproduced in the foregoing paragraph. Rule is made absolute. No order as to costs.

Connected civil application also stands disposed of.

Sd/-
(NIRZAR S. DESAI,J)

SAVARIYA

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: RAJNISH NARENDRA SAVARIYA(HC00179), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 04/02/2026 15:45:28