

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 1649 of 2015****With****CIVIL APPLICATION NO. 2 of 2018****With****MISC. CIVIL APPLICATION NO. 1 of 2018****With****R/SPECIAL CIVIL APPLICATION NO. 17308 of 2015****With****R/SPECIAL CIVIL APPLICATION NO. 17309 of 2015****With****R/SPECIAL CIVIL APPLICATION NO. 17310 of 2015****With****R/SPECIAL CIVIL APPLICATION NO. 17311 of 2015****With****R/SPECIAL CIVIL APPLICATION NO. 17312 of 2015****With****R/SPECIAL CIVIL APPLICATION NO. 17313 of 2015****With****R/SPECIAL CIVIL APPLICATION NO. 17314 of 2015****With****R/SPECIAL CIVIL APPLICATION NO. 17315 of 2015****With****R/SPECIAL CIVIL APPLICATION NO. 17316 of 2015****With****R/SPECIAL CIVIL APPLICATION NO. 17317 of 2015****With****R/SPECIAL CIVIL APPLICATION NO. 17318 of 2015****With****R/SPECIAL CIVIL APPLICATION NO. 17319 of 2015****With****R/SPECIAL CIVIL APPLICATION NO. 17320 of 2015****With****R/SPECIAL CIVIL APPLICATION NO. 17321 of 2015****With****R/SPECIAL CIVIL APPLICATION NO. 17322 of 2015****With****R/SPECIAL CIVIL APPLICATION NO. 17323 of 2015****With****R/SPECIAL CIVIL APPLICATION NO. 17324 of 2015****With****R/SPECIAL CIVIL APPLICATION NO. 17325 of 2015****With****R/SPECIAL CIVIL APPLICATION NO. 17326 of 2015****With**

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PARMAR GIRISHKUMAR DIPINBHAI

Versus

AHMEDABAD MUNICIPAL CORPORATION

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Appearance:

MR DP JOSHI for the PETITIONER(s) No.

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MRS KALPANAK RAVAL(1046) for the RESPONDENT(s) No. 1

NOTICE SERVED BY DS for the RESPONDENT(s) No. 2,3

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CORAM: HONOURABLE MS JUSTICE SONIA GOKANI

Date : 27/09/2018

COMMON ORAL ORDER

1. This is a group of petitions, where, this Court has heard the learned Advocate, Mr. Naidu, for the petitioners, who has made a submission that, at the time when this Court passed an order on 27.02.2016, due to inadvertence on the part of the respondent-Municipal Corporation, it was mentioned that in wake of the decision in Special Civil Application No. 7694 of 2013 and the allied matter, no hitch remains for completing the recruitment for the remaining 300 posts of Multipurpose Health Workers. He, further, has urged that it was also mentioned in the said order that the challenge was made to the notice issued under Section 455(1) of the Gujarat Provincial Municipal Corporation Act, 1949. He has urged that the respondent-Corporation is presently desirous of filling up of 54 posts of the Multipurpose Health Workers, as has been directed by the Standing Committee. He, further, has urged that the Division Bench has permitted the respondent-Corporation to prefer an application for review / recall of the order and in wake of this inadvertent mentioning before this Court with regard to 300 posts, the respondent-Corporation

is unable to proceed with the recruitment process of even the remaining posts of the Multipurpose Health Workers, i.e. for 54 posts. On a specific query being raised by this Court with regard to the total number of the sanctioned posts of the Multipurpose Health Workers and the present vacancies of such posts, learned Advocate requires time to seek instructions from the respondent-Corporation.

2. Considering the submissions of the learned Advocate, Mr. Dwijen Joshi, for the learned Advocate, Mr. Joshi, this Court notices that the order dated 27.01.2016 is sought to be reviewed and today, i.e. on 27.09.2018, also, there is no clarity with regard to the total number of the sanctioned posts nor is there any requisite details of filled up post and clear road map on the part of the respondent-Corporation for expeditiously filling-up vacant posts.

3. Learned Advocate, Mr. Naidu, however, has strongly urged that all that is in the hands of the respondent-Corporation is being done and lastly for those, who are working for the years, the age bar has been removed.

4. Let an affidavit be **FILED** by the officer not below the rank of the Chief Medical Officer (*In Charge*), after getting the contents thereof being approved by the Municipal Commissioner, before this Court before the next date, in relation to the date of (i) total number of sanctioned posts of the Multipurpose Health Workers and the posts, which have been presently filled-in permanent being on ad hoc basis and (iii) the vacancies which remain and (iv) whether the process has already been initiated for filling them so also the reasons for not filling-up the remaining posts if there remains any vacant seat. He may also specify the road map, if there be any, for those Multipurpose Health Workers, who are already working by virtue of order of this Court, which is sought to be reviewed.

S.O. to **8TH OCTOBER, 2018**. Direct service is permitted, **TODAY**.

(SONIA GOKANI, J)

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