

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**

**R/SPECIAL CIVIL APPLICATION NO. 10713 of 2026**

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KALPESH KANTILA MODH  
Versus  
STATE OF GUJARAT & ORS.

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Appearance:

MR JAY A TAMAKUWALA(11987) for the Petitioner(s) No. 1

RONITH JOY(9560) for the Petitioner(s) No. 1

GOVERNMENT PLEADER for the Respondent(s) No. 1,2,3

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**CORAM:HONOURABLE MR. JUSTICE NIRAL R. MEHTA**

**Date : 20/08/2026**

**ORAL ORDER**

[1] Grievance voiced by the petitioner is that although he is senior to the respondents Nos.4 and 5 as a Scientific Officer, Class – II being appointed in the year 2012 prior to the date of appointment of respondents Nos.4 and 5, however, while considering the case of promotion as Assistant Director, Class – I, though the proposal for the petitioner was sent on 4<sup>th</sup> February 2021, whereas the proposal for respondents Nos.4 and 5 was sent on 15<sup>th</sup> February 2021, promotions orders of the respondents Nos.4 and 5 came prior to the promotion order of the petitioner and that is how the petitioner has been placed lower in the seniority in the

cadre of Assistant Director, Class – I. Therefore, at the time when the next promotion avenue i.e. to the post of Deputy Director would arise, the petitioner would be considered as junior to the respondents Nos.4 and 5. Considering the same, matter requires consideration.

[2] Issue Notice returnable on 3<sup>rd</sup> September 2026.

Direct service is permitted.

CHANDRESH

**(NIRAL R. MEHTA,J)**