



IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CIVIL APPLICATION NO. 16633 of 2025

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SANJAYBHAI BHIKHABHAI PARVADIYA

Versus

PRANAV S. DAVE, JUDICIAL REGISTRAR & ANR.

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Appearance:

HCLS COMMITTEE(4998) for the Petitioner(s) No. 1

NAISHADH V PANDYA(9114) for the Petitioner(s) No. 1

MR. R.D.KINARIWALA(6146) for the Respondent(s) No. 1,2

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CORAM: HONOURABLE MR. JUSTICE ANIRUDDHA P. MAYEE

Date : 12/01/2026

ORAL ORDER

1. By the present writ petition, the petitioner has challenged the Certificate dated 21.08.2025 whereby the Committee has refused to grant permission to the petitioner for arguing his case before the High Court as a *party-in-person*. The only ground for insistence of quashing of the impugned Certificate is that the proceedings have to be conducted in English language before the High Court, is infringing the rights of the petitioner and that the petitioner may be permitted to argue his case in Gujarati language.

2. Learned advocate for the petitioner submits that the decision of this Court dated 08.07.2015 in Criminal Reference No.4 of 2015 – *Suo-motu vs. Manish Kanaiyalal Gupta & Ors.* has been misinterpreted by the Committee and therefore, the present writ petition is filed.

3. Mr. R.D.Kinariwala, learned advocate for the respondents submits that the Committee has assessed the petitioner in terms



of the law laid down as well as the rules and that the Certificate so granted is just and proper. He submits that the petitioner cannot insist on arguing his case in Gujarati language. It is also admitted fact that he does not understand English language and if he has to argue in English language then he will need an interpreter to understand and conduct the proceedings. In view thereof, the respondents have rightly refused the Certificate to the petitioner.

4. Considered the submissions. A Division Bench of this Court in the decision dated 08.07.2015 in Criminal Reference No.4 of 2015 – *Suo-motu vs. Manish Kanaiyalal Gupta & Ors.* has held thus:-

“25. In view of the aforesaid observations and discussions, we find it appropriate to concluded as under:

1) The official language of the High Court of Gujarat is English and therefore, the presentation of the case has to be in English and it cannot be in any language other than English language.

2) The committee can certify the competency of the person to assist the Court only after minimum requirements are satisfied -

a) That the party-in-person has an ability to understand English; and

b) That the party-in-person has ability to express in English; and

c) That the party-in-person has clarity about his thoughts and is able to explain his case in nutshell to the committee in English language.

3) No party in person will be able to address the Court other than English language and unless his competency is so certified by the committee.

4) However, in a given case, Court may permit written submissions in Gujarati if it is found by the Hon'ble Judge/s that he is able to understand Gujarati, but in such cases, if the party-in-person wants to address the Court or present his case in the proceedings of the Court,



orally, the use of the language has to be in English. As Rule 31A of the Rules is not to apply to the applicants for temporary bail, parole or furlough or habeas corpus, if read with Rule 37 of the Rules, no further discussion may be required in this regard. But in such cases, whenever it is so required by the Court, the use of language will be only English.

5. In terms thereof, the Certificate dated 21.08.2025 has been issued to the petitioner wherein he has been held to be incompetent. The respondents have also observed that the petitioner's educational qualification is 10th pass; he is unable to understand English language; he is unable to express in English language and he has no clarity about his thoughts and is unable to explain the facts of the matter in English language and therefore, he is not competent to assist the Court in person and he is advised to engage advocate of his choice or to approach the High Court Legal Services Committee.

6. This Court had also directed the petitioner to approach the High Court Legal Services Committee for providing him legal aid in the present petition, whereafter the High Court Legal Service Committee has given counsel to the petitioner to argue the present case.

7. In overall view of the matter, there is no infirmity in the Certificate granted by the respondents. The Special Civil Application is devoid of merits and is accordingly dismissed.

KAUSHIK D. CHAUHAN

(ANIRUDDHA P. MAYEE, J.)