

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2082 of 1985

Date of decision: 28-11-97

For Approval and Signature

The Hon'ble Mr. Justice S. K. KESHOTE

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

DR. MANORANJANA B SHAH

Versus

STATE OF GUJARAT

Appearance:

Ms. S.K. Bhatt for Petitioner
Mr. H. L. Jani for respondent No.1
None present for other respondents.

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 28/11/97

ORAL JUDGEMENT

In this special civil application prayer has been made by the petitioner - Dr.Manoranjna B. Shah - for direction to the respondent State to consider and/or promote her to the higher post of Associate Professor (Obstetrics and Gynecology) at B.J. Medical College, Ahmedabad with consequential benefits. This petition deserves to be dismissed on the ground that the petitioner has been selected for the post of Professor and she has been offered appointment on the said post at Bhavnagar, but she declined to accept the appointment as she wanted to continue at Ahmedabad only. This conduct of the petitioner itself is sufficient to dismiss the special civil application. It is really shocking for a Doctor of medical profession connected with medical education to insist on a particular place by foregoing appointment on a higher post. The petitioner was given appointment on the post of Professor, much higher than the post of Assistant Professor, which she declined. So the petitioner, in fact, has no substantial grievance. This petition is dismissed. Rule discharged. No order as to costs.

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