

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/WRIT PETITION (PIL) NO. 105 of 2019**

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SUO MOTU  
Versus  
STATE OF GUJARAT

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Appearance:

LAW OFFICER BRANCH(420) for the Applicant(s) No. 1  
MR HEMANG M SHAH(5399) for the Applicant(s) No. 1  
MS. SHRUTI PATHAK, ASSISTANT GOVERNMENT PLEADER for the  
Opponent(s) No. 1,2

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**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE MR.  
JUSTICE A.J.DESAI  
and  
HONOURABLE MR. JUSTICE BIREN VAISHNAV**

**Date : 28/04/2023**

**ORAL ORDER**

**(PER : HONOURABLE THE ACTING CHIEF JUSTICE MR. JUSTICE  
A.J.DESAI)**

1 The Suo Motu proceedings in the nature of Public Interest Litigation has been initiated as per the directions issued by Hon'ble the Apex Court vide order dated 11.03.2019 in Writ Petition (C) No. 183 of 2013. By the said order, the Hon'ble Apex Court directed to look into certain aspects in connection with the Police Department throughout the country. One of the directions is filling up of vacancies in different posts in the Police Force of the

State, by which, directions have been issued to take appropriate steps for filling up large number of vacancies and to issue guidelines for prevention and control of violent mass agitations and destruction of life and property in terms of the guidelines suggested by the Hon'ble Apex Court itself in the decision in the case of ***Destruction of Public and Private Properties Vs. Andhra Pradesh & Ors.***, reported in ***(2009) 5 SCC 212.***

2 Today, learned Assistant Government Pleader Ms.Shruti Pathak, has placed an affidavit filed by the Under Secretary, Home Department, State of Gujarat and apprised the Court about the action taken by the State Authorities with regard to the compliance of the directions issued by the Hon'ble Apex Court.

3 We have gone through the affidavit-in-reply. It appears that the State is taking appropriate steps to fill up the vacancies. However, around 21.3% of total posts in

Police Department is yet vacant. It also appears that the State has already issued guidelines to suggest the measures to prevent the damage to public and private property which is annexed as Annexure-R1.

4 Hence, we adjourn this matter for further consideration on 21.08.2023. The respondent authorities shall file additional affidavit and apprise the Court about the action taken by it in compliance of the order passed by the Hon'ble Apex Court. The details shall be supplied showing the action taken by the authority up to 11.08.2023. Meanwhile, the State Authorities shall circulate the guidelines so that the public at large would be put to notice about the same.

**(A.J.DESAI, ACJ)**

**(BIREN VAISHNAV, J)**

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