

L.A.R No. 164 of 2008

Order Below Exhibit - 1

1. This Land Acquisition Reference has been filed by the petitioner against the responder under Section 18 of Land Acquisition Act – 1984 wherein applicant has challenged the award passed in L.A.Q. Case No.28/2005 by the Acquisition Officer (Dy. Collector) Jamnagar and my Ld. Predecessor had dismissed the references through his detailed order dtd.10.12.2018 and applicant of this reference and other applicants of other L.A.R. filed in this court had challenged the order of this court before the Hon’ble High Court in First Appeal No.4152 of 2021 with First Appeals No.3583 of 2021 to 3606 of 2021. Wherein Hon’ble Gujarat High Court has quashed and set aside order of this court rejecting L.A.R. and remanded the matter back to this court and in that First Appeals Hon’ble Gujarat High Court has passed following order:

“Claimants as well as the state Government to produce the evidence in support of their case within a period of four weeks from the date they appear before the Ld. Reference Court upon remand. The Ld. Reference Court is thereafter directed to decide the reference cases within a period of six months.

The parties under take to cooperate with the speedy

disposal of the cases.”

2. As per the order of the Hon’ble High Court this case is remanded back to this court and though parties had under took before the High Court for speedy disposal of the cases, parties were not remained present and therefore this court and this court had issued the notices to the parties and looking to Rojnama, it seems that notice dtd.09.02.2026 served and on that day Ld. Advocate of the applicant was present, but thenafter neither the applicants nor his Ld. Advocate remained present on dtd.03.03.2026 and matter was adjourned on dtd.16.03.2026 on that day also neither party or their advocate remained present and matter was adjourned for today in the interest of justice. Today, upto second seating neither the applicant nor his Ld. Advocate is present. No any application for adjournment has been given and it seems that applicants have not complied the undertaking given by them before the Hon’ble Gujarat High Court and applicants are not remained present and have not submitted any evidence in support of their claim and in such circumstances, this court has no other alternative but to dismiss the application under order 9 Rule 9 of CPC and hence, I pass following order.

ORDER

1. The Land Acquisition Reference is hereby dismissed for default of the applicant under Order 9 Rule 9 of CPC.
2. Parties shall bear their own cost.

Signed and Pronounced in open court today on this 13th day of April, 2026.

Date : 13.04.2026

(Arafat Abdulkadar Vayda)

Place : Lalpur

Principal Sr. Civil Judge, Lalpur

UID :GJ00986

DBKaria/PPS