

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 51 of 2023**

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RAMESHBHAI GORDHANBHAI TALAVIYA

Versus

STATE OF GUJARAT

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Appearance:

MR. BHAVIK P SHAH(6391) for the Petitioner(s) No. 1

for the Respondent(s) No. 2,3,4,5

MR NIKUNJ KANARA, AGP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE A.S. SUPEHIA**Date : 04/01/2023****ORAL ORDER**

1. Learned advocate Mr.Bhavik P. Shah, appearing for the petitioner has submitted that the Prant Officer, Visavdar i.e. the respondent No.2, after passing the order dated 30.09.2022 in favour of the petitioner, has again passed a contrary order, thereafter, which does not bare any date. It is submitted that the aforesaid order is without jurisdiction since it was not open for the Prant Officer to review his own order.

2. This Court has perused the impugned undated order (Annexure-D), which is passed by the Prant Officer, Visavdar as well as the order dated 30.09.2022, which is already passed by the same officer.

3. It appears that by an undated order, the order dated 30.09.2022 though referred, a contrary view has been taken against the petitioner.

4. Under the circumstances, issue notice to the respondents returnable on **03.02.2023**.

5. Till the returnable date, the impugned undated order (Annexure-D at page No.23) as well as the notice dated 30.12.2022 are stayed.

Direct service **TODAY** is permitted.

(A. S. SUPEHIA, J)

MB/ pc/01