

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/LETTERS PATENT APPEAL NO. 180 of 2020****In R/SPECIAL CIVIL APPLICATION NO. 5214 of 2004****With****CIVIL APPLICATION (FOR INTERIM RELIEF) NO. 1 of 2020****In R/LETTERS PATENT APPEAL NO. 180 of 2020**

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DISTRICT DEVELOPMENT OFFICER & ANR.**Versus****VIKRAMSINH P PARMAR**

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Appearance:**MR HS MUNSHAW(495) for the Appellant(s) No. 1,2****for the Respondent(s) No. 1**

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CORAM: HONOURABLE MR. JUSTICE A.Y. KOGJE**and****HONOURABLE MR. JUSTICE SAMIR J. DAVE****Date : 28/08/2024****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE A.Y. KOGJE)**

1. Issue notice, returnable on 11.09.2024.
2. Considering the serious nature of charge against the petitioners, it would be appropriate to stay the implementation of judgment dated 28.11.2019 passed by the learned Single Judge in Special Civil Application No. 5214/2004 as it is submitted that even today, the respondent is not being paid the pension.
3. The court has taken into consideration the seriousness of the charge where the respondent, in the course of his duty as

Talati-cum-Mantri, has dealt with illegally large tract of not only gaucher lands but has also seen to it that private lands belonging to various land holders are transferred into his personal name.

4. This court is also surprised to observe that though the charges as argued by the learned advocate are of serious nature, the order of tribunal of setting aside the dismissal order, even after considering the seriousness of the charge, was never challenged by concerned department before the higher forum. The court at an appropriate stage would make an observation with regards to the conduct of the department in not challenging the order which now the department is raising the issue in the Letters Patent Appeal when much water has flown.

(A.Y. KOGJE, J)

(SAMIR J. DAVE,J)

K. S. DARJI