

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 41 of 2024**

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LAXMAN NARAN SHEDA(GADHVI)**Versus****STATE OF GUJARAT**

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Appearance:**MR JASPALSINH R JADEJA(11226) for the Petitioner(s) No. 1,2****MR RD DAVE(264) for the Petitioner(s) No. 1,2****for the Respondent(s) No. 2,3,4,5,6,7****ADVANCE COPY SERVED TO GOVERNMENT PLEADER/PP for the
Respondent(s) No. 1**

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CORAM:HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI**Date : 03/01/2024****ORAL ORDER**

1. Heard Mr. R.D. Dave, learned advocate appearing for the petitioners.

2. The petitioners herein are the agriculturist and is aggrieved by the non-release of full subsidy to the petitioners under the scheme of Government of India through National Horticulture Board known as ‘Development of Commercial Horticulture through Production and Post-Harvest Management’

as well as sub-scheme known as ‘Mission for Integrated Development of Horticulture’. Mr. Dave, learned advocate appearing for the petitioners submitted that by such schemes, petitioners were induced to obtain loan from the respondent no.7 and make investment for horticulture project, viz. ‘Cultivation of Cucumber’, for which the petitioners have made huge investments. It was submitted that the Government has promised to pay subsidy on this project, as mentioned in the scheme, which is 50% subsidy of the total cost of investment as certified by the respondent – Bank. Despite the completion of project and huge investment made by the petitioners as required by NHP to avail the amount of subsidy, the inaction on the part of the respondent authorities have resulted in filing the present Petition. Mr. Dave, learned advocate also claimed parity to the issue involved in Special Civil Application No. 11130 of 2015 filed by Green House Farmers Association and such other petitions pending before this Court.

3. Draft Amendment dated 22.12.2023 is taken on record. The same is allowed and directed to be carried-out

forthwith.

4. Considering the aforesaid and once the Draft Amendment is carried-out, issue **NOTICE**, returnable on **29.01.2024**. Ms. Dhvani Tripathi, learned Assistant Government Pleader waives service of Notice for and on behalf of the respondent No.1-State.

5. In the meantime, by way of ad-interim relief, no coercive steps be taken against the petitioners, till the next date of hearing.

Direct service qua respondent no.7 is permitted.

(VAIBHAVI D. NANAVATI,J)

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