

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 924 of 2022**

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JUNEJA HUSEN S/O JUNEJA IBRAHIM

Versus

STATE OF GUJARAT

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Appearance:

MR SP MAJMUDAR with MR AMAN A SAMA(11691) for the Petitioner(s) No. 1,10,100,101,102,103,104,105,106,107,108,109,11,110,111,112,113,114,115,116,117,118,119,12,120,121,122,123,13,14,15,16,17,18,19,2,20,21,22,23,24,25,26,27,28,29,3,30,31,32,33,34,35,36,37,38,39,4,40,41,42,43,44,45,46,47,48,49,5,50,51,52,53,54,55,56,57,58,59,6,60,61,62,63,64,65,66,67,68,69,7,70,71,72,73,74,75,76,77,78,79,8,80,81,82,83,84,85,86,87,88,89,9,90,91,92,93,94,95,96,97,98,99

MR MEET D KAKADIA(11896) for the Petitioner(s) No.

1,10,100,101,102,103,104,105,106,107,108,109,11,110,111,112,113,114,115,116,117,118,119,12,120,121,122,123,13,14,15,16,17,18,19,2,20,21,22,23,24,25,26,27,28,29,3,30,31,32,33,34,35,36,37,38,39,4,40,41,42,43,44,45,46,47,48,49,5,50,51,52,53,54,55,56,57,58,59,6,60,61,62,63,64,65,66,67,68,69,7,70,71,72,73,74,75,76,77,78,79,8,80,81,82,83,84,85,86,87,88,89,9,90,91,92,93,94,95,96,97,98,99

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

ADVANCE COPY SERVED TO GOVERNMENT PLEADER/PP(99) for the Respondent(s) No. 1

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CORAM:HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI**Date : 13/01/2022****ORAL ORDER**

1. Heard Mr. S. P. Majmudar, the learned advocate appearing for Mr. Aman A. Sama, the learned advocate for the writ-applicants through video conference.

2. Mr. Majmudar, learned advocate submitted that the writ-applicants are aggrieved by the notice dated 7.1.2022 served by the respondent No.3 under the provisions of Public Premises

(Eviction of Unauthorised Occupants) Act, 1971 whereby the writ-applicants have been notified to evict the property in question situated at Survey No.870/Paiki, Bakali Colony, Madhapar Highway Road, Bhuj-Katchchh within a period of 07 days, failing which legal action will be initiated against them.

2.1 Mr. Majmudar learned advocate submitted that the writ-applicants were required to be heard before passing of such order. It is further submitted by Mr. Majmudar that the impugned notice dated 7.1.2022 was merely affixed on the house of the writ-applicants. He submitted that the said notice is in the form of an order which is in contravention to the natural justice.

Issue notice making it returnable on 20.1.2022.

In the meantime, the parties are directed to maintain status-quo with regard to the subject matter of the property.

Direct service today is permitted.

Let this matter be listed on top of the board.

(VAIBHAVI D. NANAVATI,J)

K.K. SAIYED