

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 1300 of 2024**

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RATHVA MOHANBHAI RUPABHAI

Versus

STATE OF GUJARAT

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Appearance:

MR N V RAVAL(11267) for the Petitioner(s) No.

1,10,11,12,13,14,15,2,3,4,5,6,7,8,9

MR VIJAY N RAVAL(2025) for the Petitioner(s) No.

1,10,11,12,13,14,15,2,3,4,5,6,7,8,9

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

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

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**CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL**

and

HONOURABLE MR. JUSTICE ANIRUDDHA P. MAYEE**Date : 25/01/2024****ORAL ORDER****(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA
AGARWAL)**

1. There is a vague assertion that the writ petition with regard to utilization of plots belonging to the petitioners herein (15 in number), for the construction of Shivrajpura Dholimar Zalariya Kesharpur Road without issuing any acquisition proceedings or adopting due process of law as per the Land Acquisition Act. There is no specific statement as to who had constructed the road.

2. During the course of arguments, it is submitted by the learned counsel for the petitioners that the village Panchayat

Shivrajpura had constructed the road in the year 2012 and execution of the work was made by the Road and Building Department (Panchayat Division), Godhra, Panchmahal. The concern Village panchayat has not been impleaded in the writ petition.

3. On the prayer made by learned counsel for the petitioners, the matter is posted on 12.02.2024 to enable him to implead the village panchayat concern in the array of the parties and serve the advance notice of the writ petition to the panel counsel appearing for the said Panchayat. An additional affidavit shall also be filed making a specific statement with regard to construction of road.

4. Put up on **12.02.2024.**

(SUNITA AGARWAL, CJ)

(ANIRUDDHA P. MAYEE, J.)

AMAR SINGH