

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 1944 of 2024**

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NATVERLAL HIRALAL JARIWALA

Versus

SURAT MUNICIPAL CORPORATION

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Appearance:

MR NM KAPADIA(394) for the Petitioner(s) No. 1

for the Respondent(s) No. 1,2

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CORAM: **HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI****Date : 07/02/2024****ORAL ORDER**

1. Heard Ms. Shalini Gaud, the learned advocate appearing for Mr. N.M. Kapadia, learned advocate appearing for the petitioner.

2. It is submitted by Mr. Kapadia, learned advocate that the petitioner herein has purchased the land bearing Revenue Survey No. 92/2 of Village: Katargam of District: Surat, by registered sale deed dated 26.06.1992. The name of the petitioner stands mutated in the record of the respondent – Corporation, whereby, tax receipts are produced on record from the year 2005 to 2023, which are in the name of the present petitioner. It is submitted that the impugned Notice dated 05.12.2023 under

Section 68 of the Gujarat Town Planning and Urban Development Act, 1976 r/w. Rule-33 of the Gujarat Town Planning and Urban Development Rules, 1979 is issued by the competent authority with respect to the Block No. / Revenue Survey No. 92/2, Final Plot No. 92, O.P. No. 58 which is of the ownership of the petitioner, to the erstwhile owner, viz. Nanubhai Shankarbhai and Balvantbhai Shankarbhai. It is submitted that out of the aforesaid persons, Nanubhai Shakarbhahi has expired and death certificate is duly produced at Page-21.

3. In view of aforesaid, issue ***NOTICE*** returnable on ***01.04.2024***.

4. In the meantime, parties are directed to maintain status-quo with regard to the nature, structure and character of the property in question, till the next date of hearing.

Direct service is permitted.

SAJ GEORGE

(VAIBHAVI D. NANAVATI,J)