

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/LETTERS PATENT APPEAL NO. 1127 of 2023
In R/SPECIAL CIVIL APPLICATION NO. 515 of 2022**

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BHARATKUMAR RAMANBHAI PATEL

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR DIPEN DESAI(2481) for the Appellant(s) No. 1

MR SAHIL B. TRIVEDI, AGP for the Respondent(s) No. 1

NOTICE SERVED for the Respondent(s) No. 2

RULE SERVED for the Respondent(s) No. 3

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CORAM:**HONOURABLE MR. JUSTICE A.S. SUPEHIA**

and

HONOURABLE MRS. JUSTICE MAUNA M. BHATT**Date : 08/07/2024****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE A.S. SUPEHIA)**

1. *Prima facie*, we are of the opinion that the impugned order dated 17-03-2001 is in blatantly disregarded to the directions issued to the respondents vide judgment and order dated 26.09.2017 passed in Special Civil Application No.10305 of 2009 and allied matters. While passing the said order, the Deputy Director, Gandhinagar, has totally ignored the observations made by the learned Single Judge in the judgment dated 26.09.2017 and has straight away rejected the case of the appellants.

2. The learned Single in the judgment dated 26.09.2017 has categorically in paragraph No.10 has observed that the matter has reached upto the Supreme Court and Special Leave to Appeal was also dismissed against the judgment dated 08.03.2010 passed in Special Civil Application No.2955 of 2010.

3. This is a fit case, where an exemplary cost is required to be imposed upon the authority, who has passed the order.
4. Learned Assistant Government Pleader requests for some time in order to take specific instructions.
5. By the next date of hearing, learned Assistant Government Pleader shall take specific instructions in line of the directions issued by the learned Single Judge in the judgment dated 26.09.2017 passed in Special Civil Application No.10305 of 2009 and allied matters.
6. The matter is ordered to be kept on **24.07.2024, at top of the Board.**

(A. S. SUPEHIA, J)

(MAUNA M. BHATT,J)

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