

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 3115 of 2024**

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RABARI BHIKHABHAI HARIBHAI & ORS.**Versus****SECRETARY ROAD AND BUILDING DEPARTMENT & ORS.**

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Appearance:**MR AV PRAJAPATI(672) for the Petitioner(s) No.****1,10,11,12,13,14,15,16,17,18,19,2,20,21,22,23,24,3,4,5,6,7,8,9****for the Respondent(s) No. 2,3****MR KRUTIK PARIKH, AGP 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 : 26/02/2024****ORAL ORDER****(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL)**

1. The learned counsel for the petitioners prays for and is granted permission to implead the Collector of the district concerned as respondent No.4 in the array of parties and is also granted permission to make correction in the description of respondent No.3 during the course of the day.

2. On the issue raised in the present petition with regard to utilization of the lands belonging to the petitioners herein for construction of the road-in-question by the Roads and Building Department, the learned Assistant Government Pleader appearing for State- respondent prays for and is granted TWO WEEKS' time to bring the written the instructions before the Court to answer the contention of the petitioners that the land has been utilized in the year 1990 for construction of road without adopting due process of law and the further contention

to the effect that on the agitation made by them, the land acquisition proceeding under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 has been initiated in the year 2019, but the same has not been brought to its logical conclusion.

3. **NOTICE** of the writ petition be issued to the respondent No.2 and the newly added respondent No.4, returnable on **19.3.2024**, and shall be served in the office of the Government Pleader during the course of the day.

4. The question of issuance of notice to the respondent No.3 would be considered after response of the State- respondent is received.

Sd/-
(SUNITA AGARWAL, CJ)

Sd/-
(ANIRUDDHA P. MAYEE, J.)

OMKAR