

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 4217 of 2026**

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VANKAR MOTIBEN JIVANBHAI

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR. TARAK P. SHAH(19850) for the Petitioner(s) No. 1

MR. VISHRUT R JANI(6696) for the Petitioner(s) No. 1

MR ABHISHEK JAIN AGP for the Respondent(s) No. 1,3

MR MEHUL SHARAD SHAH(773) for the Respondent(s) No. 2

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CORAM:**HONOURABLE MR. JUSTICE NIRAL R. MEHTA****Date : 23/04/2026****ORAL ORDER**

[1] Learned advocate Mr. Mehul Sharad Shah appeared for the respondent No.2 on advance copy and under instructions from the Deputy Commissioner, Mahesana Municipal Corporation, made a statement that if, at this stage, without entering into the merits of the case, the order impugned dated 19th February 2026 is quashed and set aside by reserving liberty in favour of the Corporation to undertake a fresh proceedings by way of issuing a fresh show cause notice, then the ends of justice would be met. To which, learned advocate Mr. Vishrut Jani for the petitioner has no objection.

[2] Considering the aforesaid, present petition is disposed of without expressing anything on merits of the case. The order impugned dated 19th February 2026 is hereby quashed and set aside purely on the basis of the statement being made by learned advocate Mr. Shah for the respondent No.2 inasmuch as the same being passed in violation of the principles of natural justice.

[3] It is to clarify that the respondent - Corporation is hereby permitted to issue a fresh show cause notice within a period of 10 days from today and on receipt of fresh show cause notice, the petitioner may file reply within two weeks thereafter if he so chooses. The respondent – Corporation shall, thereafter, decide the entire matter by following due procedure of law and strictly in conformity with the principles of natural justice. Till the entire proceeding is concluded, the petitioner assured this Court that no further equity will be created.

Direct service is permitted.

CHANDRESH

(NIRAL R. MEHTA,J)