

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/SPECIAL CIVIL APPLICATION NO. 3699 of 2025**

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PATEL GOVINDBHAI BABUBHAI

Versus

STATE OF GUJARAT &amp; ORS.

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Appearance:

MR SN BAROT(5299) for the Petitioner(s) No. 1

MS. SAPNA S BAROT(6693) for the Petitioner(s) No. 1

MS ROSHNI PATEL, LD.ASSTT. GOVERNMENT PLEADER for the  
Respondent(s) No. 1

MR. DEVANG D DAVE(2627) for the Respondent(s) No. 3,4

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CORAM:**HONOURABLE MRS. JUSTICE MAUNA M. BHATT****Date : 20/03/2025****ORAL ORDER**

1. This petition is filed challenging Notice dated 10.01.2025 wherein the petitioner was directed to remove unauthorised construction of commercial nature on agricultural land.

2. Heard learned advocate Mr.S.N.Barot for the petitioner, learned Assistant Government Pleader Ms.Roshni Patel for respondent No.1 and learned advocate Mr.Devang Dave for respondent Nos.3 and 4.

3. Learned advocate Mr.S.N.Barot for the petitioner submitted that after Notice dated 10.01.2025, the Gram Panchayat has communicated with the Police Authority to give protection for removal of unauthorised construction by communication dated 17.03.2025, which is rescheduled on 30.03.2025. On the aspect of construction, which was done by

the petitioner, learned advocate could not produce any legal documents justifying his title of the property. Moreover, the construction of commercial nature on agricultural land, is not in dispute.

4. Learned Assistant Government Pleader Ms.Roshni Patel appeared for respondent No.1 and invited attention of this Court to the nature of land where commercial construction has been done.

5. Learned advocate Mr.Devang Dave appeared for respondent Nos.3 and 4 also submitted that till date, no construction permission is available to the petitioner and admittedly no commercial construction can be done on agricultural land. From the photographs, it is evident that shops are constructed on agricultural land.

6. Considering the submissions, issue **Notice** returnable on 01.05.2025. Learned Assistant Government Pleader Ms.Roshni Patel waives service of Notice on behalf of respondent No.1 and learned advocate Mr.Devang Dave waives service of Notice on behalf of respondent Nos.3 & 4. No coercive steps shall be taken till the next date of hearing. Direct service is permitted.

**(MAUNA M. BHATT,J)**

DIPTI PATEL