

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 9037 of 2023**

=====

AJAYKUMAR BABULAL GEHLOT

Versus

STATE OF GUJARAT

=====

Appearance:

MR HET N SHAH(11211) for the Petitioner(s) No. 1

MR SP MAJMUDAR(3456) for the Petitioner(s) No. 1
for the Respondent(s) No. 2,3

MR RAJ S. TANNA, ASSISTANT GOVERNMENT PLEADER/PP for the
Respondent(s) No. 1

=====

CORAM: HONOURABLE MS. JUSTICE SANGEETA K. VISHEN

Date : 09/06/2023

ORAL ORDER

1. Mr Het N. Shah, learned advocate, submitted that the petitioner, is aggrieved by action on the part of the respondent authorities inasmuch as, the land, has been reserved for the D.P. road in the year 1987, since then, no road has been constructed. Twice the revision, has taken place but still, the plot of the petitioner has remained vacant. Even the petitioner has issued the notice requiring the respondent authorities to initiate the land acquisition proceedings; however, till date no proceedings have been initiated and in view of Section 20 of the Gujarat Town Planning and Urban Development Act, 1976 (hereinafter referred to as "the Act of 1976"), the reservation shall lapse. Upon expiry of the 10 years the petitioner issued the notice; however, no steps have been taken.

2. Reliance is placed on the judgment of this Court in the case of *Mrugee Traders and Develpers v. Bhavnagar Area Development*

Authority reported in 2016 (0) AlJEL-HC-234087 wherein, it has been held and observed that *failure to acquire the lands within the stipulated time would render the reservation nugatory and it lapses as per the provisions of sub-section (2) of Section 20 of the Act of 1976.*

3. Considered the submissions. Issue notice, returnable on 05.07.2023. Direct service is permitted.

RAVI P. PATEL

(SANGEETA K. VISHEN,J)