

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 9795 of 2023**

=====

HEMANTKUMAR UMAIDBHAI PATEL

Versus

STATE OF GUJARAT

=====

Appearance:

MR R. S. SANJANWALA, LD SR. COUNSEL WITH MR VIJAY H
PATEL(7361) for the Petitioner(s) No. 1,10,11,12,13,14,2,3,4,5,6,7,8,9
for the Respondent(s) No. 10,11,12,13,14,15,2,3,4,5,6,7,8,9
ADVANCE COPY SERVED TO GOVERNMENT PLEADER/PP for the
Respondent(s) No. 1

=====

CORAM: HONOURABLE MS. JUSTICE SANGEETA K. VISHEN**Date : 15/06/2023****ORAL ORDER**

1. Mr R. S. Sanjanwala, learned senior counsel appearing with Mr Vijay H. Patel, learned advocate for the petitioners, submitted that as per the draft T.P. Scheme, 30 meter wide road was passing through the original land of the petitioners dividing the land into two parts. On the western side of the plot, 15 meter wide road was passing through. The petitioners, initially, were allotted Original Plot no.125 and the owner of survey no.405, was allotted Final Plot no.120. The petitioners were having the benefit of the frontage of 30 meter road. During the tentative reconstitution of the Town Planning Scheme, the petitioners, were allotted two plots being Final Plot no.125/1 and Final Plot no.125/2 and both the plots were having frontage of 30 meter road.

2. To the surprise of the petitioners, what has been sent to the State Government, is page no.41 and as a result whereof, the location of the land of the petitioners, has been changed, without

offering any opportunity of hearing to the petitioners. It is submitted that the effect of the relocation, is that the entire land being Final Plot no.125/2, admeasuring 3124 sq. mtrs., would be of no purpose, as no building can be constructed on the said land. It is submitted that the preliminary scheme, prepared by the Town Planning Officer, has now been sent to State Government is pending consideration.

3. Considered the submissions. Issue notice to respondents, returnable on 13.07.2023. Direct service is permitted.

RAVI P. PATEL

(SANGEETA K. VISHEN,J)