

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 2356 of
2025
In F/FIRST APPEAL NO. 13304 of 2025

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HARIBHAI GAGUBHAI
Versus
DEPUTY COLLECTOR AND SPECIAL LAND ACQUISITION OFFICER AND
REHABILITATION (IRRIGATION) & ANR.

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Appearance:

MR KRUSHNAKANT D PATEL(10632) for the Applicant(s) No. 1
MR TEJAS P SATTA(3149) for the Applicant(s) No. 1
MR SHIVAM DIXIT AGP for the Respondent(s) No. 1,2

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CORAM: HONOURABLE MS. JUSTICE NISHA M. THAKORE

Date : 01/05/2025

ORAL ORDER

Heard Mr. Tejas P Satta, learned advocate on record for the applicant.

At the outset learned advocate has placed on record the case status details of First Appeal No. 1028 of 2023 along with the copy of the order dated 28.03.2023 passed by the co-ordinate Bench. He has submitted that appeal arising out of same group of land reference cases and the common impugned judgment and award passed by the reference Court, was challenged with an application seeking condonation of delay of 517 days delay, which was allowed on 06.03.2023. He has further submitted that the co-ordinate Bench after considering the fact that the issue was covered by the judgment and order dated 28.03.2023 passed in First Appeal No.

1028 of 2023 and allied matters had remanded the matters back to the reference court to decide afresh. The respective parties were permitted to adduce their evidence. Pursuant to the aforesaid order of remand passed by the Co-ordinate Bench the original land reference case being LAR No. 348 of 2007 was restored to its original file and upon appreciating the evidence on record, the reference Court has enhanced the additional amount of compensation at the rate of Rs.128 per sq.meter with statutory benefits. He has therefore, urged this Court that the delay caused in preferring the appeal may be liberally considered as the petitioners similarly situated are also entitled to additional amount of compensation.

Hence, issue Rule returnable on 19.06.2025. Learned AGP Mr. Shivam Dixit appeared on behalf of respondent-State authorities on advance copy, waives service of notice of rule for and on behalf of the respondents.

(NISHA M. THAKORE,J)

Radhika

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: RADHIKA ABHILASH(HCD0042), Steno Gr II, at High Court of Gujarat on 02/05/2025 18:15:19