

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 6235 of 2025****With****R/SPECIAL CIVIL APPLICATION NO. 6238 of 2025**

=====

JAYANTIBHAI PARBATBHAI CHAVDA

Versus

MUNICIPAL COMMISSIONER, MORBI MUNICIPAL CORPORATION & ANR.

=====

Appearance:

MR JIGNESH L HAJARE(3994) for the Petitioner(s) No. 1

MR DEEPAK P SANCHELA(2696) for the Respondent(s) No. 1,2

=====

CORAM:HONOURABLE MRS. JUSTICE MAUNA M. BHATT**Date : 01/05/2025****ORAL ORDER**

1. These petitions are filed challenging an order dated 23.04.2025 (Annexure “D”), under which the petitioners’ premises have been sealed on the ground of not following the Regulations 2.1 and 3.10.1 of CGDCR, 2017. Regulation 2.1 of CGDCR, 2017 refers to development permission, which has not been obtained in these cases.

2. Learned advocate Mr.Jignesh Hajare for the petitioners submitted that the petitioners are using the said premises since last many years from the time of their forefathers and no additional construction has been made. However, they could not produce any documents in relation to development permission.

3. Considering the submission, issue **Notice** returnable on 08.05.2025. Learned advocate Mr. Deepak Sanchela waives service of Notice on behalf of the respondents.

4. It is open for the petitioners to make an application seeking fresh development permission or regularization of unauthorised construction under the provisions of the GRUDA, 2022. Since the premises have been sealed by the respondent, learned advocate for the petitioners submitted that application seeking regularization of unauthorised construction or application seeking fresh development permission shall be made within a period of one week from today.

Considering sealing of the petitioners' premises, it is open for the respondents to decide the said application immediately.

5. Learned advocate for the petitioners at this stage submitted that under the sealed premises, there are cattle, perishable goods and other tools of farming.

Learned advocate Mr. Deepak Sanchela fairly submitted that the sealed premises will be opened once and they may be permitted to take out their belongings on given date by informing them, well in advance. Direct service is permitted.

(MAUNA M. BHATT,J)

DIPTI PATEL