

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 7635 of 2026**

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JAVID HARUN TAILI & ANR.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR VICKY B MEHTA(5422) for the Applicant(s) No. 1,2

MR. ROHAN H. RAVAL, APP for the Respondent(s) No. 1

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CORAM:HONOURABLE MR.JUSTICE P. M. RAVAL**Date : 03/06/2026****ORAL ORDER**

1. Issue notice returnable on 22.06.2026. Learned Additional Public Prosecutor waives service of notice for respondent – State.
2. Heard, learned advocate Mr. Vicky B. Mehta for the applicants and learned APP for the State.
3. It transpires that though the Surat Municipal Corporation has granted the development permission, the complainant has constructed more than what has been granted, and thus, application by various members of the society came to be preferred against the present complainant, addressing the complaint dated 10.11.2025 to the District Development Office, Vigilance Officer, Zonal Officer and Deputy Municipal Commissioner of Surat Municipal Corporation, wherein at least 15% of the members of the society were signed the said complaint. Pursuant to which the notice also came to be issued to the complainant and having found that illegal construction was carried out, the material was confiscated and Rs.10,000/- as administrative charges also recovered from the complainant and

illegal construction also came to be removed for which Rs. 30,000/- for administrative charges was recovered and further penalty of Rs.10,000/- under C. and D. Waste Penalty was also charged. As on 27.03.2026, the demolition was carried out and further Rs.40,000/- was recovered from the complainant.

4. Considering the nature of allegation in the FIR, illegal construction carried out by the complainant, complaint against the complainant before the competent authority for illegal construction, *prima facie* strong case is made out.

5. In view of the same, investigation would subject to final outcome of the application.

NITIN MAKWANA

(P. M. RAVAL, J)