

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 123 of 2012**

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GUJARAT STATE LAND DEVELOPMENT CORPORATION LTD

Versus

MANGALBHAI CHEHARBHAI CHAVDA C/O.PARIVARTAN KAMDAR
UNION & ANR.

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Appearance:

MR HS MUNSHAW(495) for the Petitioner(s) No. 1

MR PARITOSH CALLA(2972) for the Respondent(s) No. 2

MR. JAY M THAKKAR(6677) for the Respondent(s) No. 1

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CORAM:ADDITIONAL REGISTRAR (JUDICIAL)**Date : 21/08/2024****ORAL ORDER**

1. Learned advocate Mr. Deep Hirani on behalf of learned advocate Mr. J. M. Thakkar respondent no.1 has filed subsequent note dated 20.08.2024 in the office. Upon perusal of the same, it appears that learned advocate has sent communication to his client by RPAD and the track consignment report is also placed on record.
2. Perused the withdrawal of appearance note dated 31.07.2024 filed by learned advocate Mr. Jay M. Thakkar addressed to the office along with original postal cover. Perused the office note dated 05.08.2024 pertaining to the same.
3. The learned advocate Mr. Jay M. Thakkar for respondent no.1 has submitted the withdrawal of appearance addressed to this office dated 31.07.2024 for withdrawal of his appearance on behalf of respondent no.1 and for deleting his name from the cause title of the captioned matter. The aforesaid withdrawal of appearance is annexed with communication dated 09.08.2024 addressed to

respondent no.1 along with original postal cover and online status report of the postal department. It is submitted that the communication/original cover has returned back unserved as “No such person in the address”.

4. It is submitted that respondent no.1 is duty bound to submit his new address either to his learned advocate or on the record of the Court for due service of notice to him. It is further submitted that he has performed his part of duty to make due attempts for service of communications dated 09.08.2024 to respondent no.1. Now, it is the turn of respondent no.1 to furnish the new address on record. It prima facie appears that the learned advocate has tried his best for due service of communication to his client i.e. respondent no.1 through RPAD in compliance of Rule 133 of the Gujarat High Court Rules, 1993 on the address available on record.
5. In view of the aforesaid submissions and on perusal of record, the withdrawal of appearance of learned advocate Mr. Jay M. Thakkar dated 31.07.2024 and office note dated 05.08.2024 pertaining to the same are accepted herewith and disposed of accordingly. The office is directed to remove the name of learned advocate Mr. Jay M. Thakkar as an advocate of respondent no.1 from the cause title of captioned matter/s at the earliest. The office is further directed to issue advocate notice to respondent no.1 making it returnable on 01.10.2024.

(P. S. DAVE)

ADDITIONAL REGISTRAR (JUDICIAL)

SSVohra