

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CIVIL APPLICATION NO. 14832 of 2012**

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NIMESHBHAI GANESHBHAI JHAVERI

Versus

STATE OF GUJARAT & 2 other(s)

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Appearance:

MR AS ASTHAVADI(3698) for the Petitioner(s) No. 1

MR SAHIL B TRIVEDI, AGP (1) for the Respondent(s) No. 1,2

MR HS MUNSHAW(495) for the Respondent(s) No. 3

RULE SERVED(64) for the Respondent(s) No. 1,2

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CORAM: **HONOURABLE MR.JUSTICE A.S. SUPEHIA**

Date : 04/02/2020

ORAL ORDER

1. On 21.10.2019, this Court passed the following order:

“When the matter is taken up for hearing, it is noticed that no affidavit is filed by the respondents. The matter is seven years old and still the response of the respondents is awaited.

The affidavit shall be filed on or before the next date of hearing, failing which, a responsible officer shall remained present before this Court.

The matter is kept on **23rd December, 2019**. Learned Assistant Government Pleader Mr. Goutam shall communicate this order to the concerned officer for onwards compliance.”

2. Today, when the matter is taken up for hearing, it is noticed that neither a responsible officer has remained present nor any affidavit has been filed. This court has recorded that seven years have passed, still the respondents have not filed any reply. The Court has also directed the learned Assistant Government Pleader to communicate the order to the concerned officer for onward compliance.

3. It appears that the respondent authorities in blatant disregard have totally ignored the orders of this Court. Thus, this Court has left with no other option but to impose a cost of Rs.5,000/- on the respondent authorities since the directions remain uncomplied. The respondent authorities shall deposit a cost of Rs.5,000/- before the Registry of this Court. The same shall be recovered from the person, who is responsible for the non-compliance of the order of this Court.

4. It is hereby directed that a necessary affidavit shall be filed on the next date of hearing and a responsible officer, who is handling the file, shall also remain present before this Court, failing which this Court will be constrained to pass appropriate orders seeking his presence. The matter is kept on **7th February, 2020**, on the top of the Board. Learned Assistant Government Pleader Mr.Trivedi shall again communicate this order to the concerned officer. The Registry shall supply the copy of the order of this Court to the Government Pleader's Office.

(A. S. SUPEHIA, J)

GUPTA*