

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/FIRST APPEAL NO. 1581 of 2016
With
CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 1 of 2023
In R/FIRST APPEAL NO. 1581 of 2016
With
R/FIRST APPEAL NO. 3222 of 2017
With
R/FIRST APPEAL NO. 3223 of 2017
With
R/FIRST APPEAL NO. 3224 of 2017
With
R/FIRST APPEAL NO. 3225 of 2017
With
R/FIRST APPEAL NO. 3226 of 2017
With
R/FIRST APPEAL NO. 3227 of 2017
With
R/FIRST APPEAL NO. 3228 of 2017
With
R/FIRST APPEAL NO. 3229 of 2017
With
R/FIRST APPEAL NO. 3230 of 2017
With
R/FIRST APPEAL NO. 3231 of 2017
With
R/FIRST APPEAL NO. 3233 of 2017
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R/FIRST APPEAL NO. 3234 of 2017
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R/FIRST APPEAL NO. 3235 of 2017
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R/FIRST APPEAL NO. 3236 of 2017
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R/FIRST APPEAL NO. 3237 of 2017
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R/FIRST APPEAL NO. 3238 of 2017
With
R/FIRST APPEAL NO. 3239 of 2017
With
R/FIRST APPEAL NO. 3240 of 2017
With
R/FIRST APPEAL NO. 3241 of 2017
With
R/FIRST APPEAL NO. 1582 of 2016
With

CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 1 of 2023
In R/FIRST APPEAL NO. 1582 of 2016

With

R/FIRST APPEAL NO. 1583 of 2016

With

CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 1 of 2023
In R/FIRST APPEAL NO. 1583 of 2016

With

R/FIRST APPEAL NO. 1584 of 2016

With

CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 1 of 2023
In R/FIRST APPEAL NO. 1584 of 2016

With

R/FIRST APPEAL NO. 1585 of 2016

With

R/FIRST APPEAL NO. 1586 of 2016

With

R/FIRST APPEAL NO. 1587 of 2016

With

CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 1 of 2023
In R/FIRST APPEAL NO. 1587 of 2016

With

R/FIRST APPEAL NO. 1588 of 2016

With

R/FIRST APPEAL NO. 1589 of 2016

With

R/FIRST APPEAL NO. 1590 of 2016

With

CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 2 of 2023
In R/FIRST APPEAL NO. 1590 of 2016

With

CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 1 of 2023

In R/FIRST APPEAL NO. 1590 of 2016

With

CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 3 of 2023
In R/FIRST APPEAL NO. 1590 of 2016

With

R/FIRST APPEAL NO. 1591 of 2016

With

R/FIRST APPEAL NO. 1592 of 2016

With

CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 1 of 2023
In R/FIRST APPEAL NO. 1592 of 2016

With

R/FIRST APPEAL NO. 1593 of 2016

With

CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 1 of 2023

In R/FIRST APPEAL NO. 1593 of 2016
With
CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 2 of 2023
In R/FIRST APPEAL NO. 1593 of 2016
With
CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 3 of 2023
In R/FIRST APPEAL NO. 1593 of 2016
With
R/FIRST APPEAL NO. 1594 of 2016
With
CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 1 of 2023
In R/FIRST APPEAL NO. 1594 of 2016
With
R/FIRST APPEAL NO. 1596 of 2016
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CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 1 of 2023
In R/FIRST APPEAL NO. 1596 of 2016
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R/FIRST APPEAL NO. 1597 of 2016
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CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 1 of 2023
In R/FIRST APPEAL NO. 1597 of 2016
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R/FIRST APPEAL NO. 1598 of 2016
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CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 1 of 2023
In R/FIRST APPEAL NO. 1598 of 2016
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R/FIRST APPEAL NO. 1599 of 2016
With
CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 1 of 2023
In R/FIRST APPEAL NO. 1599 of 2016
With
R/FIRST APPEAL NO. 1600 of 2016
With
CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 1 of 2023
In R/FIRST APPEAL NO. 1600 of 2016
With
CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 2 of 2023
In R/FIRST APPEAL NO. 1600 of 2016
With
R/FIRST APPEAL NO. 1601 of 2016
With
CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 1 of 2023
In R/FIRST APPEAL NO. 1601 of 2016
With
R/FIRST APPEAL NO. 1602 of 2016

With
R/FIRST APPEAL NO. 1603 of 2016
With
CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 1 of 2023
In R/FIRST APPEAL NO. 1603 of 2016
With
CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 2 of 2023
In R/FIRST APPEAL NO. 1603 of 2016
With
R/FIRST APPEAL NO. 1604 of 2016
With
CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 1 of 2023
In R/FIRST APPEAL NO. 1604 of 2016
With
R/FIRST APPEAL NO. 1605 of 2016
With
CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 1 of 2023
In R/FIRST APPEAL NO. 1605 of 2016
With
CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 2 of 2023
In R/FIRST APPEAL NO. 1605 of 2016
With
R/FIRST APPEAL NO. 1606 of 2016
With
CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 1 of 2023
In R/FIRST APPEAL NO. 1606 of 2016
With
R/FIRST APPEAL NO. 1607 of 2016
With
CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 1 of 2023
In R/FIRST APPEAL NO. 1607 of 2016
With
R/FIRST APPEAL NO. 1608 of 2016
With
CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 1 of 2023
In R/FIRST APPEAL NO. 1608 of 2016
With
R/FIRST APPEAL NO. 1609 of 2016
With
R/FIRST APPEAL NO. 1610 of 2016
With
R/FIRST APPEAL NO. 1611 of 2016
With
CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 1 of 2023
In R/FIRST APPEAL NO. 1611 of 2016
With
CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 2 of 2023

In R/FIRST APPEAL NO. 1611 of 2016
With
R/FIRST APPEAL NO. 1612 of 2016
With
CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 1 of 2023
In R/FIRST APPEAL NO. 1612 of 2016
With
R/FIRST APPEAL NO. 1613 of 2016
With
CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 1 of 2023
In R/FIRST APPEAL NO. 1613 of 2016
With
R/FIRST APPEAL NO. 1614 of 2016
With
CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 1 of 2023
In R/FIRST APPEAL NO. 1614 of 2016
With
CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 2 of 2023
In R/FIRST APPEAL NO. 1614 of 2016
With
R/FIRST APPEAL NO. 1615 of 2016
With
R/FIRST APPEAL NO. 1616 of 2016
With
CIVIL APPLICATION (FOR ADDITIONAL EVIDENCE) NO. 1 of 2023
In R/FIRST APPEAL NO. 1616 of 2016

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 RABARI BALUBHAI UKABHAI
 Versus
 STATE OF GUJARAT & ANR.
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Appearance:

MR HD VASAVADA(974) for the Appellant(s) No. 1
 MS MANSI A MACWAN(3861) for the Appellant(s) No. 1
 MR ADITYA JADEJA, ASSISTANT GOVERNMENT PLEADER for the
 Defendants

CORAM: **HONOURABLE MS. JUSTICE SANGEETA K. VISHEN**
 and
HONOURABLE MR. JUSTICE NIRAL R. MEHTA

Date : 21/01/2025

ORAL ORDER

(PER : HONOURABLE MS. JUSTICE SANGEETA K. VISHEN)

Mr.G.M. Amin, learned advocate, submitted that the lands acquired are of village Bhukhi. The lands were acquired for public purpose of Bhadar-II Irrigation of village Bhukhi, Taluka - Dhoraji, District - Rajkot. Section-4 Notifications were issued somewhere in the year 2000 and some in the year 1999. The Court below has awarded Rs.21.66 for non-irrigated land and Rs.32 for irrigated land in Land Acquisition Reference Case Nos.51/2007 to 74/2007 by passing 5 separate awards.

2. It is submitted that with respect to similar acquisition, Section-4 Notification is of the very same date and for the very same acquisition, the another Court has awarded Rs.113.05 per sq.mtr. for bagayat land of village Bhukhi. It is submitted that against the said judgment, the claimants as well as the State Government have filed Appeals; one for enhancement and another for reduction. It is submitted that the land acquired of the claimants of First Appeal No.3222/2017 to 3241/2017 is identically situated to the lands acquired in rest of the cases of the self-same acquisition.

3. Mr.Tushar L. Sheth, learned advocate, states that now, he has received the instructions to appear on behalf of the claimants - appellants in the First Appeals as indicated in the Note dated 27.6.2023 addressed to the Registrar, High Court of Gujarat. Moreover, the claimants have addressed the communication, requesting previous lawyers to retire. The Registry was, therefore, requested to reflect his name. However, the Registry is insisting for Court's order in absence of any No Objection given by the previous lawyer. It is pointed

out that necessary Vakalatnama of all the claimants is also filed and once there is a Vakalatnama signed in his favour, the Registry be instructed to show his name.

4. Some of the Appeals, namely, First Appeal Nos.647/2019, 648/2019, 653,/2019, 654/2019, 655/2019 and 4357/2019 are not listed on the Board. It is urged that, same be also directed to be listed.

5. Mr.G.M.Amin, learned advocate, requests for calling of the R & P together with paper-book on or before the next date of hearing.

6. In view of above, the Registry is directed to call for R & P together with paper-book so as to reach this Court on or before 25.2.2025.

7. The Registry is directed to accept the Vakalatnama that may been filed by Mr.Tushar L. Sheth and show his name in the First Appeals wherever Vakalatnama is filed and more particularly, as indicated in the Note dated 27.6.2023.

8. List these matters on 25.2.2025.

(SANGEETA K. VISHEN,J)

(NIRAL R. MEHTA,J)

V.J. SATWARA