

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 12123 of 2021**

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LAVAN SALT PVT LTD
Versus
STATE OF GUJARAT

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Appearance:

MR MEHUL SHARAD SHAH(773) for the Petitioner(s) No. 1

MR.ASHUTOSH DAVE, AGP for the Respondent(s) No. 1

NOTICE SERVED BY DS for the Respondent(s) No. 2

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CORAM:HONOURABLE MR. JUSTICE ANIRUDDHA P. MAYEE

Date : 08/08/2023**ORAL ORDER**

1. Heard learned counsel for the petitioner.
2. This Court on 07.09.2021 has passed the following order:-

“Heard learned Advocate Shri Mehul Sharad Shah on behalf of the petitioner and learned Assistant Government Pleader Shri Utkarsh Sharma on behalf of the respondent authorities.

The petitioner challenges an order dated 13.05.2021 passed by respondent no.1 -Department whereby application for the petitioner which was considered as per the directions/observations of this Court vide order dated 20.01.2020 in Special Civil Application No. 1126 of 2020 has been rejected inter alia on the ground that the

grant of land could not be permitted since it was in close proximity to the international boarder.

Learned Advocate Shri Shah submits that all other concerned authorities / departments have given their no objection to the petitioner for grant of the land and whereas the lands have been granted to other salt manufacturers in the near vicinity and therefore there was no reason for respondent no.1 to have rejected the application more particularly on a ground which respondent no.1 may not be entitled to take.

Having regard to the same, issue Notice to the respondents returnable on 05.10.2021. Learned AGP Shri Utkarsh Sharma waives service of notice on behalf of respondent no.1- State. Needless to say in view of the objection raised in the impugned order till the petition is decided the authority would not grant the land in favour of other person.

Direct service for rest of the respondents is permitted.”

3. That, thereafter on numerous occasions, learned Assistant Government Pleader has sought time to file affidavit-in-reply.

4. As a last chance, time is granted to file affidavit-in-

reply before the next date of hearing, failing which, the respondent no.2 shall remain personally present on the next date of hearing in the Court to assist in the hearing of the case.

5. The affidavit-in-reply shall specifically deal with the contentions made by the petitioner that the lands in nearby the vicinity and also in between the international border and the land as sought by the petitioner, the same have been allotted to other salt companies for salt production.

6. S.O. 31.08.2023.

Interim relief granted earlier to continue till the next date of hearing.

NABILA

(ANIRUDDHA P. MAYEE, J.)