

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/SPECIAL CIVIL APPLICATION NO. 9125 of 2026**

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**D P ABHUSHAN LIMITED****Versus****THE REGIONAL DIRECTOR & ORS.**

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**Appearance:****MR SALIL M THAKORE(5821) for the Petitioner(s) No. 1**

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**CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI****Date : 13/07/2026****ORAL ORDER**

1.Heard learned advocate Mr. Salil Thakore  
appearing for the petitioner.

2.Learned advocate Mr. Salil Thakore drew the  
attention of this Court to the averments made in  
paragraphs Nos. 37, 38, and 39 of the petition,  
which read as under:

"37. On 9.3.2026, the matter was listed.  
On 9.3.2026, the advocates for both sides  
were asked to go to the chamber of the  
Joint Director Shri Kamal Harjani. The  
Joint Director inquired from both sides  
what their submissions were. Advocates for  
both sides briefly narrated the issue.  
Thereafter, the Joint Director took both  
the advocates to the Regional Director's

chamber. The Regional Director was present. At the Regional Director's chamber, both advocates were conveyed that the matter is being fixed on 6.4.2026 for hearing and the Regional Director would hear the matter. As the matter was adjourned, no hearing took place before the Regional Director.

38. On 6.4.2026, the matter was listed. Once again, both advocates were asked to go to the chamber of Shri Kamal Harjani, the Joint Director. The Joint Director asked both sides to very briefly narrate the issue. No more than 4-5 minutes were given to each advocate. Written submissions were taken from both sides. A copy of the petitioner written submissions are at Annexure G. A copy of the contesting respondents' written submissions are at Annexure H. The petitioner also filed a compilation of judgements. A copy of the index judgements filed by the petitioner is at Annexure I.

39. The petitioner's advocate inquired from the Joint Director about getting a hearing before the Regional Director. However, no hearing was given before the Regional Director and the request was not acceded to. Later, it was learnt that on 6.4.2026, the Regional Director was on official tour and was not present in the office."

3. Learned advocate Mr. Salil Thakore thereafter drew the attention of this Court to the impugned order, which bears the date of hearing as 06.04.2026. He further invited the attention of this Court to paragraph No. 12 of the said

order, which is reproduced as under:

"12.That as the learned Regional Director was on official tour on 06-04-2026, both the parties appeared in the matter before Shri Kamal Harjani, Joint Director. Both the parties submitted their Written submissions, but they have not brought any new fact(s) for further consideration in the same. Shri Salil Thakur, Advocate from the Applicant side submitted some judgements also. But in oral submission, they reiterated the same facts as they had already submitted on 09-03-2026 before the Competent Authority."

4. Referring to paragraph No. 12 of the impugned order, learned advocate Mr. Salil Thakore submitted that, although the date of hearing is recorded as 06.04.2026, the Regional Director, who has signed the impugned order, has himself stated that he was on official tour on 06.04.2026. It was, therefore, submitted that if the Regional Director was on official tour on 06.04.2026, the hearing could not have taken place on that date. According to the Regional Director's own narration in the impugned order, the relevant date appears to have been 09.03.2026.

5. Learned advocate Mr. Salil Thakore further

submitted that, however, on 09.03.2026, no hearing had taken place before the Regional Director. According to him, the parties had appeared only before Mr. Kamal Harjani, Joint Director, and the discussion held before the Joint Director with regard to the subject matter could not be treated as a hearing before the Regional Director.

6. It was further submitted that, although the petitioner had filed written submissions, neither the submissions made by the petitioner nor the decisions relied upon by the learned advocate for the petitioner were considered by the Regional Director while passing the impugned order. Therefore, according to learned advocate Mr. Salil Thakore, the present case is a fit one for grant of appropriate relief on the ground of violation of the principles of natural justice. He submitted that, though the impugned order is a reasoned order, in fact, neither the petitioner's submissions nor the judgments relied upon by the petitioner have been

considered. Moreover, the Regional Director has himself admitted in the impugned order that he was on official tour on the date of hearing, i.e. 06.04.2026.

7. In view of the aforesaid submissions made by learned advocate Mr. Salil Thakore, issue **NOTICE to the respondents, returnable on 04.08.2026.** Direct service is permitted.

**(NIRZAR S. DESAI, J)**

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