

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION NO. 1688 of 2017

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CHINTANBHAI ROHITBHAI SHAH & 1....Petitioner(s)

Versus

MANJUSHA MANOHAR BOBDE & 4....Respondent(s)

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Appearance:

MR TATTVAM K PATEL, ADVOCATE for the Petitioner(s) No. 1 - 2

ADVANCE COPY SERVED TO GP/PP for the Respondent(s) No. 4

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CORAM: **HONOURABLE SMT. JUSTICE ABHILASHA KUMARI**

Date : 06/02/2017

ORAL ORDER

Heard Mr.Tattvam K. Patel, learned advocate for the petitioners.

It is submitted that the Deputy Collector has passed the impugned order without issuing notice to the petitioners or granting them an opportunity of hearing. The petitioners were not joined as parties by respondent No.1 in the proceedings before the Deputy Collector, in spite of the fact that the petitioners have purchased the bungalow in question in the year 2014 by way of a registered Sale Deed and are residing there. The impugned order would adversely affect the petitioners, which aspect has not been taken into consideration by the Deputy Collector, constituting a

violation of the principles of natural justice.

Issue Notice returnable on 07.04.2017.

Ad-interim relief in terms of paragraph-7(c) is granted, till then.

In addition to the normal mode of service, Direct Service is also permitted.

(SMT. ABHILASHA KUMARI, J.)

Gaurav+