

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 21744 of 2022****With****R/SPECIAL CIVIL APPLICATION NO. 15566 of 2022**

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MAHADEVSIKH CHANDANSIKH CHAMPAWAT & ORS.**Versus****DEPUTY COLLECTOR (J. SU. AND APPEAL), AHMEDABAD & ORS.**

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Appearance:**MR SALIL M THAKORE(5821) for the Petitioner(s) No. 1,2,3****NOTICE NOT RECD BACK for the Respondent(s) No. 5****NOTICE SERVED for the Respondent(s) No. 1,2,6****NOTICE UNSERVED for the Respondent(s) No. 3,4,7**

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CORAM: HONOURABLE MS. JUSTICE SANGEETA K. VISHEN**Date : 04/07/2024****ORAL ORDER**

1. Mr.Shelat, learned Advocate appearing for the petitioner in Special Civil Application No. 15566 of 2022 requested for urgent hearing bringing it to the notice of this Court, the recent notice dated 11.06.2024.

2. Mr.Mitul Shelat, learned Advocate, states that this Court has passed an order dated 10.08.2022 in Special Civil Application No. 15566 of 2022, by which, the Deputy Collector was directed not to pass the final order in the proceedings i.e. Tenancy Appeal Case no. 30 of 2011. Disregarding the order dated 10.08.2022, the Deputy Collector appears to have passed the order dated 22.04.2022 and therefore, Civil Application (for stay) no. 1 of 2022 was necessitated. This Court, after detailed hearing, had passed an order dated 20.10.2022 and stayed the order passed by the Deputy Collector dated 22.04.2022. It is submitted that despite the order

dated 20.10.2022 passed by this Court staying the order dated 22.04.2022 of the Deputy Collector, the Mamlatdar & ALT has issued notice in the proceedings of the remand case on 05.10.2023. Everything was brought to the notice of the Mamlatdar & ALT, Ghatlodia. Once again, disregarding the said order, that notice dated 11.06.2024 has been issued. It is submitted that twice the authorities have tried to overreach the court's process.

3. Mr.Jayneel Parikh, learned Assistant Government Pleader has placed on record the order dated 04.07.2024 passed by the Mamlatdar & ALT withdrawing the notice. Mr.Parikh, learned Assistant Government Pleader while tendering the apology, urges for time so as to file necessary affidavit.

4. List the matter on 05.07.2024.

SINDHU NAIR

(SANGEETA K. VISHEN,J)