

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 14777 of 2024**

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SAGAR KHENGA MANWAR**Versus****STATE OF GUJARAT & ORS.**

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Appearance:**MR M R SAIYED(3362) for the Petitioner(s) No. 1****ADVANCE COPY SERVED TO GOVERNMENT PLEADER/PP for the
Respondent(s) No. 1**

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CORAM:HONOURABLE MRS. JUSTICE MAUNA M. BHATT**Date : 11/02/2025****ORAL ORDER**

1. This petition is filed challenging the notice dated 30.09.2024 on the ground that the petitioner was in possession of the subject premises (a small cabin) since many years.

2. Learned advocate for the petitioner submitted that the petitioner was holding this cabin as his father constructed the same and regularly paying taxes to gram panchayat. The said cabin was constructed to have his livelihood after earthquake and there is no other mode of livelihood except running the said small cabin.

3. This Court has noticed that the notice dated 30.09.2024 refers to encroachment on gauchar land, therefore, notice

under Section 105 was issue to him. The notice also refers to earlier notice dated 20.09.2022, whereby the petitioner was put to notice to remove encroachment on gauchar land.

4. However, considering the submission of the petitioner that he is only having the source of livelihood by running his small trading activity in the said cabin, issue **Notice** to respondents returnable on **10.03.2025** to avail the policy, if any, having with the gram panchayat for providing alternative accommodation to the petitioner other than the gauchar land for running his small cabin.

(MAUNA M. BHATT,J)

NAIR SMITA V./22