

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 19728 of 2023**

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MANOJ KUMAR JAIN

Versus

VADODARA MAHANAGAR PALIKA

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Appearance:

MR SHRIRAJ D SHAH(10475) for the Petitioner(s) No. 1

for the Respondent(s) No. 1,2,3

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CORAM:HONOURABLE MS. JUSTICE SANGEETA K. VISHEN**Date : 08/11/2023****ORAL ORDER**

1. Mr Shriraj D. Shah, learned advocate appearing for petitioner submitted that in the year 2013, an application was filed seeking regularization of certain portion of construction put up by the erstwhile owner. The petitioner purchased the property in the year 2014; however, it appears that pursuant to the complaint filed by the owner of bungalow no.169, that the order dated 29.10.2023 has been passed. It is submitted that the construction is as per the order dated 12.07.2013. It is submitted that had the authorities offered any opportunity to the petitioner, the petitioner would have explained and justified the construction which was carried out as per the order dated 12.07.2013. It is submitted that without offering any opportunity, straightaway, the order dated 29.10.2023 has been passed, that would be in violation of principles of natural justice. Mr Shriraj D. Shah, learned advocate states that the petitioner has not carried out any construction over the internal road of the society.

2. Considered the submissions. Issue notice to the respondents, returnable on 13.12.2023. Till the next date of hearing, the

authorities are directed not to take any coercive steps. Direct service is permitted.

RAVI P. PATEL

(SANGEETA K. VISHEN,J)