

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 15631 of 2025**

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PARSOTAMBHAI BABARBHAI MEHRA
Versus
STATE OF GUJARAT & ORS.

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Appearance:

KUMAR H TRIVEDI(9364) for the Petitioner(s) No. 1
MR RAJENDRA R CHAVDA(10209) for the Petitioner(s) No. 1
MS SUMAN MOTLA, LD.ASSTT. GOVERNMENT PLEADER for the
Respondent(s) No. 1,2

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CORAM:HONOURABLE MRS. JUSTICE MAUNA M. BHATT

Date : 18/11/2025
ORAL ORDER

1. This petition is filed challenging Notice dated 10.11.2025 (Annexure “A” Page-8). In the Notice, the petitioner is directed to remove encroachment within a period of 3 days.

2. Heard learned advocate Mr.Kumar Trivedi for the petitioner. Learned advocate for the petitioner submitted that Notice dated 10.11.2025 is second Notice. Prior to that, Notice under section 105 of the Gujarat Panchayats Act was issued to the petitioner and the same was subject matter of Special Civil Application No.10514 of 2025. This Court in Special Civil Application No.10514 of 2025, vide order dated 29.07.2025 directed the respondent- Gram Panchayat to consider the Notice earlier issued under section 105 of Gujarat Panchayats Act as Show Cause Notice, permitting the petitioner to file reply along with necessary documents.

3. Learned advocate for the petitioner further submitted that the petitioner herein is an ex-army man and land in question was allotted to him by Gram Panchayat. For entering name of the petitioner in the revenue record, the petitioner has already preferred an application before the Collector and the same is pending. The petitioner's application before Collector is pending since long and on account of inaction on part of the Collector, Special Civil Application No.12434 of 2025 is filed wherein, this Court under order dated 09.09.2025 has issued Notice. Moreover, without responding to the reply and without passing any order on the reply filed by the petitioner, Notice dated 10.11.2025 is issued. Therefore, this Notice dated 10.11.2025 may not be permitted to be acted upon. The petitioner has also responded to the Notice dated 10.11.2025.

4. Considering the submissions, issue **Notice** returnable on 08.01.2026.

It is open for the respondent to consider reply of the petitioner and to pass appropriate order during the pendency of this petition.

(MAUNA M. BHATT,J)

DIPTI PATEL