

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/MISC. CIVIL APPLICATION (FOR CONTEMPT) NO. 2746 of 2025
In R/SPECIAL CIVIL APPLICATION NO. 11483 of 2025

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MASTER SILK MILLS PRIVATE LIMITED

Versus

PRATIBHA DAHIYA, SUB DIVISIONAL MAGISTRATE

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Appearance:

MR PERCY KAVINA, SENIOR ADVOCATE WITH MR VIRAL K SALOT,
ADVOCATE(3500) for the Applicant(s) No. 1

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CORAM: **HONOURABLE MR. JUSTICE BHARGAV D. KARIA**
and
HONOURABLE MR. JUSTICE L. S. PIRZADA

Date : 01/12/2025

ORAL ORDER
(PER : HONOURABLE MR. JUSTICE BHARGAV D. KARIA)

1. Heard learned Senior Advocate Mr.Percy Kavina with learned Advocate Mr.Viral K. Salot for the applicant.

2. It was submitted that in spite of the order dated 16.09.2025 passed by the learned Single Judge in Special Civil Application No.11483 of 2025 directing the respondent to consider the application filed by the applicant on 21.05.2025 afresh, keeping in mind the provisions of the Disturbed Areas Act, 1991 as well as the decision of this Court in the case of Onali Ezazuddin Dholkawala v. State of Gujarat rendered in Special Civil Application No.13041 of 2019 decided on 09.03.2020, the respondent has again by relying upon Section 52 of the Transfer of Property Act, 1882 without reference to the provisions of the Disturbed Areas Act, 1991 and the above

decision, reiterated the order rejecting the application filed by the applicant.

3. It was therefore submitted that the respondent has committed contempt of the order passed in the Special Civil Application by not following the directions issued by this Court.

4. Considering the above submissions, issue notice returnable on 18.12.2025.

5. Direct service is permitted.

(BHARGAV D. KARIA, J)

STANCY GOMES

(L. S. PIRZADA, J)