

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/LETTERS PATENT APPEAL NO. 1330 of 2025

In R/SPECIAL CIVIL APPLICATION NO. 14830 of 2025

**With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2025
In R/LETTERS PATENT APPEAL NO. 1330 of 2025**

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MUMTAZ NISHAR SHUKLA & ORS.

Versus

DHARMESHBHAI BHARATKUMAR KALAL & ORS.

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Appearance:

MR SHALIN MEHTA, SENIOR ADVOCATE WITH MR C B
UPADHYAYA(3508) for the Appellant(s) No. 1,2,3,4,5,6
GOVERNMENT PLEADER for the Respondent(s) No. 2,3
MR P.K. JANI, SENIOR ADVOCATE WITH MR DEEPAK P
SANCHELA(2696) for the Respondent(s) No. 1
MR KULDIP K ACHARYA(10616) for the Respondent(s) No. 4,5

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**CORAM:HONOURABLE THE CHIEF JUSTICE MRS.
JUSTICE SUNITA AGARWAL
and
HONOURABLE MR.JUSTICE D.N.RAY**

Date : 18/12/2025

ORAL ORDER

(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL)

1. Having heard the learned counsel appearing for the parties and perused the record, noticing that certain important questions of law are required to be deliberated at length, which would require response of the respondent as well.

2. Further noticing that the issue with regard to the

applicability of the decision of the Division Bench of the Coordinate Bench of this Court in the case of ***Shivangiben Chetankumar Patel Vs. State of Gujarat And Ors.*** reported in ***2018 (2) GLH 523*** is subject matter of a Letters Patent Appeal No.658 of 2022, wherein another Coordinate Bench has raised doubt about the applicability of the said decision in *Shivangiben Patel*, we find that the present matter be tagged with the Letters Patent Appeal No.658 of 2022, inasmuch as, the decision of the learned Single Judge is based on the judgment of the Coordinate Bench in *Shivangiben Patel*.

3. With the above, we post the matter on ***12.01.2026***. It is further provided that the status quo with regard to the office of the President of the Devgadhi Baria Municipality as on date, is required to be maintained by the parties.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

A. B. VAGHELA