IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/MISC. CIVIL APPLICATION NO. 567 of 2020
In
R/LETTERS PATENT APPEAL NO. 30 of 2020
With
R/MISC. CIVIL APPLICATION NO. 582 of 2020
In
LETTERS PATENT APPEAL NO. 40 of 2020
With
R/MISC. CIVIL APPLICATION NO. 583 of 2020
In
LETTERS PATENT APPEAL NO. 28 of 2020
With
R/MISC. CIVIL APPLICATION NO. 568 of 2020
In
LETTERS PATENT APPEAL NO. 39 of 2020
With
R/MISC. CIVIL APPLICATION NO. 569 of 2020
In
LETTERS PATENT APPEAL NO. 32 of 2020
With
R/MISC. CIVIL APPLICATION NO. 605 of 2020
In
LETTERS PATENT APPEAL NO. 21 of 2020
With
R/MISC. CIVIL APPLICATION NO. 606 of 2020
In
LETTERS PATENT APPEAL NO. 29 of 2020
With
R/MISC. CIVIL APPLICATION NO. 607 of 2020
In
LETTERS PATENT APPEAL NO. 27 of 2020
With
R/MISC. CIVIL APPLICATION NO. 665 of 2020
In
LETTERS PATENT APPEAL NO. 34 of 2020
With
R/MISC. CIVIL APPLICATION NO. 681 of 2020
In
LETTERS PATENT APPEAL NO. 18 of 2020

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ISWERBHAI NARSINHBHAI CHUDHARI

Versus

SHRI ANIL MUKIM , SECRETARY

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Appearance:
MR SHALIN N MEHTA, SENIOR ADVOCATE assisted by MS TEJAL K SHAH(2719) for the Applicant(s) No. 1
MS MAITHILI MEHTA, AGP for the Opponent(s) No. 1
MS SEJAL K MANDAVIA(436) for the Opponent(s) No. 2
MR HS MUNSHAW(495) for the Opponent(s) No. 3
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CORAM: **HONOURABLE MR. JUSTICE R.M.CHHAYA**
and
HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 21/12/2020
COMMON ORAL ORDER
(PER : HONOURABLE MR. JUSTICE R.M.CHHAYA)

1. Heard Mr. Shalin N. Mehta, learned Senior Advocate assisted by Ms. Tejal K. Shah, learned advocate for the applicant, Ms. Maithili Mehta, learned AGP for opponent no.1, Ms. Sejal Mandavia, learned advocate for opponent no.2 and Mr. H.S. Munshaw, learned advocate for opponent no.3.

2. As the facts arising in this group of applications are identical and common, all matters are heard together and are disposed of by this common order. The facts as stated in Misc. Civil Application no.567 of 2020 are taken as basis of this order.

3. The present group of applications are filed under the provisions of the Contempt of Courts Act, 1971 alleging that there is willful contempt of the order dated 6.1.2020 passed by this Court in Letters Patent Appeal no.30 of 2020 in Special Civil Application no.12656 of 2016.

4. Pursuant to the orders dated 12.10.2020, 26.10.2020 and 16.12.2020, the affidavits are filed by the District Development Officer, Gir Somnath as well as the Under Secretary to the State of Gujarat in the Panchayat Rural Housing and Rural Development Department. The said affidavits are taken on record.

5. Ms. Maithili Mehta, learned AGP has placed on record of these applications the order dated 19.12.2020 passed by the State of Gujarat in the Panchayat Rural Housing and Rural Development Department. A copy of the same is taken on record of Misc. Civil Application no.567 of 2020. The same may be treated as part of the record in all the applications.

6. The directions issued by this Court in the order passed in the Letters Patent Appeal is implemented qua all 29 applicants subject to outcome of final review petition as may be filed by the State Government before this Court. Be that as it may; reading of the order dated 19.12.2020 indicates that the directions given by the Division Bench of this Court stand complied with, subject to the aforesaid condition.

7. Mr. Shalin N. Mehta, learned Senior Advocate, in view of the order dated 19.12.2020, does not press these applications.

8. The payment that is due and payable be paid as expeditiously as possible. Mr. Shalin Mehta urged that such payment be made within a period of two weeks. As against this, Ms. Maithili Mehta submitted that the same is to be processed and it might take time of three weeks.

9. In such facts and circumstances of the case, we deem it fit to direct the State Government/concerned opponent(s) to make the payment to all the applicants latest by 31.01.2021.

10. With these observations and directions, the applications are disposed of as not pressed. Notice discharged in each group of applications.

(R.M.CHHAYA, J)

(NIRZAR S. DESAI,J)

DRASHTI K. SHUKLA / MAULIK