IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 17393 of 2025

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RAMBHAI BHIMSIBHAI RAM

Versus

STATE OF GUJARAT & ORS.

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Appearance:
MR Y J PATEL(3985) for the Petitioner(s) No. 1
MS NALANDA ACHARYA, LD.ASSTT. GOVERNMENT PLEADER for the Respondent(s) No. 1,2,3

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CORAM:**HONOURABLE MRS. JUSTICE MAUNA M. BHATT**

Date : 18/12/2025
ORAL ORDER

1. This petition is filed challenging final Notice dated 08.12.2025 (Annexure "H", Page-57), under which the petitioner has been directed to file reply justifying his construction, failing which, appropriate action under the provisions of Gujarat Panchayats Act, 1993, has been indicated.

2. Heard learned advocate Mr.Y.J.Patel for the petitioner and learned Assistant Government Pleader Ms.Nalanda Acharya for the respondents.

3. Learned advocate Mr.Y.J.Patel for the petitioner submitted that the petitioner herein is resident of Village: Supasi, Taluka: Veraval, District: Gir-Somnath. The petitioner being owner of the land in question, has constructed the building in question after due permission. In support of his

submission, learned advocate has relied upon Development Permission dated 09.11.2021 (Annexure "F", Page-46). Learned advocate submitted that the said Development Permission was granted by respondent No.4- Supasi Gram Panchayat with certain conditions. The petitioner has developed the premises after complying with the conditions as referred in the Development Permission and it is not a case of unauthorized construction by the petitioner. Despite that, earlier Notice dated 01.12.2025 was given, followed by Notice dated 08.12.2025. In both the Notices reference of construction without lay-out plan and without permission is made. Pursuant to the Notice dated 08.12.2025, the petitioner filed his reply immediately. Further, only three days' time has been given to respond to the said Notice. However, the petitioner has filed his reply along with necessary documents. Despite that the petitioner is apprehending coercive action, therefore approached this, Court.

4. Having considered the submissions it is noticed that Development Permission, dated 09.11.2025 (Annexure "F", Page-46) issued by respondent No.4- Gram Panchayat is placed on record which refers to sanctioning of development permission subject to fulfillment of certain conditions and the lay-out plan is also attached. Respondent No.4 being statutory

authority, it is expected to follow the procedure, accordingly, following directions are issued:

> "(i) Since reply has been filed by the petitioner placing all the documents on record, respondent No.4 is directed to look into the documents after providing an opportunity of hearing to the petitioner.
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> (ii) No coercive action is directed pursuant to Notice dated 08.12.2025, till the reply is considered and an order is passed in accordance with law, after providing an opportunity of hearing to the petitioner."

5. With this, the present petition is disposed of.

Direct service is permitted.

(MAUNA M. BHATT,J)

DIPTI PATEL...

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: DIPTIBEN PIYUSH PATEL(HC00191), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 19/12/2025 17:28:46