

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 19717 of 2017**

RATNIBEN VAGTABHAI KODLI(CHAUDHARY)

Versus

DISTRICT DEVELOPMENT OFFICER, BANASKANTHA

Appearance:

MR DIPEN DESAI(2481) for the PETITIONER(s) No. 1

MR HS MUNSHAW(495) for the RESPONDENT(s) No. 2

MR MANISH R RAVAL(1250) for the RESPONDENT(s) No. 3

MR RB THAKOR(6743) for the RESPONDENT(s) No. 1

CORAM: HONOURABLE MS.JUSTICE BELA M. TRIVEDI**Date : 31/07/2018****ORAL ORDER**

1. The petitioner has challenged the impugned orders dated 17.06.2017 passed by the respondent No. 2 Taluka Development Officer, Dhanera and also the order dated 18.10.2017 passed by the respondent No. 1 District Development Officer, Banaskantha.

2. After hearing the learned Advocates appearing for the parties, it appears that the petitioner was not given reasonable opportunity of hearing by the competent authority i.e. the Taluka Development Officer before passing the impugned order dated 17.06.2017. It also appears that in the appeal preferred by the petitioner before the respondent no. 1 District Development Officer, the concerned Advocate appearing for the petitioner had sought adjournment on the ground of his indisposed health, however the same was not granted by the respondent No. 1. The Court therefore finds substance in the submissions made by learned Advocate Mr. Dipen Desai appearing for the petitioner that both the authorities have not given reasonable opportunity of hearing to the petitioner, before passing the impugned

orders.

3. In that view of the matter, the petitioner is required to be given one more opportunity of hearing in the interest of justice. Hence the impugned order passed by the respondent No. 1 District Development Officer is quashed and set aside. The respondent No. 1 is directed to grant one more opportunity of hearing to the petitioner and to permit her to produce the additional documents, if any. Accordingly, the respondent No.1 shall decide the appeal afresh in accordance with law and as expeditiously as possible. It is clarified that the petitioner or her Advocate shall remain present before the respondent No. 1 District Development Officer as and when the hearing of the appeal is fixed by respondent No. 1 for making her submissions.

Subject to the aforesaid directions, the petition is allowed.

SINDHU NAIR

(BELA M. TRIVEDI, J)