

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 4710 of 2018**

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PATEL LALITKUMAR JAYANTIBHAI(DECEASE)**Versus****THE SPECIAL LAND ACQUISITION OFFICER & 1 other(s)**

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Appearance:**MR SHITAL R PATEL(2166) for the Petitioner(s) No. 1,1.1,1.2****MS.SHIVANI V TRIVEDI(7225) for the Petitioner(s) No. 1,1.1,1.2****MR AJAY R MEHTA(453) for the Respondent(s) No. 2****NOTICE SERVED BY DS(5) for the Respondent(s) No. 1**

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CORAM: HONOURABLE MR.JUSTICE A.J.DESAI**Date : 28/02/2019****ORAL ORDER**

RULE. Mr. Ajay Mehta, learned advocate waives service of notice of Rule on behalf of the respondent No.2.

Heard Mr. Darshan Dave, learned advocate for Mr. Shital Patel appearing for the petitioners and Mr. Ajay Mehta, learned advocate appearing for the respondents.

Having heard learned advocates appearing for respective parties and considering the dispute between the parties, I am of the opinion that learned trial Court should have reopened the case and granted permission to produce documentary evidence, if any and permitted to lead oral evidence. Hence, without going into the merits of the case, present petition is allowed. The impugned order in question is hereby quashed and set aside. The petitioners are hereby directed to cooperate in expeditious disposal of the Land Reference Case by leading evidence and shall not unnecessarily ask for adjournment. Rule is made absolute accordingly. Direct service is permitted.

(A.J. DESAI, J.)

Ajay