

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 20062 of 2023**=====
JIGAR DEVELOPERS

Versus

STATE OF GUJARAT & ORS.
=====**Appearance:**

MR DIGANT M POPAT(5385) for the Petitioner(s) No. 1

MS MAITHILI MEHTA, ASST.GOVERNMENT PLEADER/PP for the
Respondent(s) No. 1MR ANUJ K TRIVEDI(6251) for the Respondent(s) No. 3
=====**CORAM:HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL**

and

HONOURABLE MR. JUSTICE PRANAV TRIVEDI**Date : 08/10/2024****ORAL ORDER****(PER : HONOURABLE THE CHIEF JUSTICE
MRS. JUSTICE SUNITA AGARWAL)**

[1] There is no para-wise reply to the contents of the writ petition. The affidavit of the Special Land Acquisition Officer, Unit - 4, Surat in reply to the writ petition is only narration of facts and does not contain answer to the contention made by the petitioner in the writ petition about denial of personal opportunity of hearing under Section 15 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

[2] In absence of any such response, we are constrained to accept the statement made in the writ petition as true. At this stage, Ms Maithili Mehta, learned

Assistant Government Pleader appearing for the State - Respondents would submit that one opportunity may be granted to the concerned respondent to rectify the mistake and to file a para-wise reply to the writ petition along with the relevant documents within the period of **two weeks**. On the prayer so made, the matter is posted on **22.10.2024** at **02:30 PM**.

[3] Before parting with this order, we may record that in many matters argued before us, we have come across the affidavits filed on behalf of the officers of the State in reply to the writ petitions, stating facts without giving para-wise reply to the contents of the writ petition and this issue has been brought to the notice of the learned Government Pleader but it seems that there is no concern as no improvement could be seen in the method of drafting of the affidavits filed on behalf of the State - Respondents.

[4] The learned Government Pleader is required to look into and issue necessary directions to all Assistant Government Pleaders working in the office to draft a proper affidavit not only stating the facts independently but also giving narrative by giving para-wise reply to the contents of the writ petitions / affidavits filed by the petitioners, as per the settled law of pleading, inasmuch as, in absence of any denial, the contents of the writ petition are to be admitted as true.

[5] This order be brought to the notice of the learned Government Pleader forthwith and also be brought to the notice of the learned Advocate General to make him alive of the situation of working of the Government Pleader's Office.

(SUNITA AGARWAL, CJ)

SAHIL S. RANGER

(PRANAV TRIVEDI,J)