

# Rafikbhai Abdulrahimbhai Modhiya vs Chief Officer, Jhalod Nagar Palika on 26 March, 2024

**Author: Vaibhavi D. Nanavati**

**Bench: Vaibhavi D. Nanavati**

NEUTRAL

C/SCA/19566/2023

ORDER DATED: 26/03/2024

undefin

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 19566 of 2023

With

R/SPECIAL CIVIL APPLICATION NO. 19520 of 2023

With

R/SPECIAL CIVIL APPLICATION NO. 19537 of 2023

With

R/SPECIAL CIVIL APPLICATION NO. 11 of 2024

With

R/SPECIAL CIVIL APPLICATION NO. 3602 of 2024

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RAFIKBHAI ABDULRAHIMBHAI MODHIYA

Versus

CHIEF OFFICER, JHALOD NAGAR PALIKA

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Appearance:

NABIL O BLOCH(7953) for the Petitioner(s) No. 1

RULE SERVED for the Respondent(s) No. 1

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CORAM:HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI

Date : 26/03/2024

ORAL ORDER

1. By way of present writ-applications filed under Article 226 of the Constitution of India the writ-applicant herein has prayed for the following reliefs :-

"(A) Direct the Respondent -The Chief Officer - Jhalod Nagar Palika to process the application filed by the Petitioner at Annexure A to this Petition and Grant a Legal and Valid NOC and Permission for Running Slaughter expeditiously without booking any delay as Petitioner is identical situated as Order NEUTRAL CITATION C/SCA/19566/2023 ORDER DATED: 26/03/2024 undefined as CAV order dated 11.4.2023 passed in CA NO 10 OF 2023 IN WRIT PETITION (PIL) No. 133 of 2021 by this Honorable Court Annexure-B and (B) Direct the Respondent -The Chief Officer - Jhalod Nagar Palika to process the application filed by the Petitioner at Annexure A to this Petition and to give opportunity of hearing to Grant a Legal and Valid NOC and Permission for Running Slaughter and (C) grant any other relief or pass any other order which the Honourable Court may consider just and proper in the facts and circumstances of the case and in the interest of justice."

2. Heard Mr. Nabil O. Bloch, the learned advocate appearing for the writ-applicant.

Though served none appears for the respondent No.1.

3. It is the case of the writ-applicant that by way of present writ-applications the writ-applicant herein seeks direction to provide legal and valid NOC and permission for running slaughter house under the Food Safety and Standard Act, 2006 NEUTRAL CITATION C/SCA/19566/2023 ORDER DATED: 26/03/2024 undefined for licensing and registration of food business.

4. Being aggrieved and dissatisfied with the respondent - Godhra Nagarpalika wherein such license has not been issued the writ-applicant herein has approached this Court for the prayers as referred above.

5. Mr. Bloch, the learned advocate appearing for the writ- applicant on instructions states that the writ-applicant would prefer an application in the prescribed format with the respondent authority and that the same be decided by the respondent authority in terms of the order passed by the Hon'ble Division Bench in the Civil Application No.10 of 2023 in Writ Petition (PIL) No.133 of 2021 dated 11.4.2023 in paragraphs 6.3 and 6.4.

6. Considering the aforesaid and statement made by Mr. Bloch, the learned advocate appearing for the writ-applicant, if the writ-applicant were to approach the respondent authority by preferring an application in the prescribed format seeking NEUTRAL CITATION C/SCA/19566/2023 ORDER DATED: 26/03/2024 undefined permission to run a slaughter house, the same be considered by the respondent authority in accordance with law and in line with the ratio laid down in order dated 11.4.2023 passed in the Civil Application No.10 of 2023 in Writ Petition (PIL) No.133 of 2021.

7. The present writ-applications stand disposed of accordingly.

Direct service is permitted.

(VAIBHAVI D. NANAVATI,J) K.K. SAIYED