

Received on	18/05/2026
Registered on	18/05/2026
Decided on	22/07/2026
Duration	<u>YY/MM/DD</u>

Exhibit

**IN THE COURT OF 4TH ADDITIONAL SESSIONS JUDGE,
BHAVNAGAR.**

Criminal Miscellaneous Application S No. 880/2026.

Applicant : **Kishorbhai Paljibhai Vaghela,**
Age 41 years, Occ. Labourer,
R/o. B-58, Bahucharnagar Society,
Katargam, Surat – 395004.

Versus

Opponents : **(1) Hareshbhai Danjibhai Vaghela,**
Age 51 years, Occ. Labourer,
R/o. Vankarvas, Near Tempo
Station, Mu. Makhaniya,
Tal. Talaja, District Bhavnagar.

(2) The Collector,
Office of the Collector (Land
Grabbing Department), Bhavnagar.
Notice to be served through the
learned Public Prosecutor,
Court Compound, Bhavnagar.

Appearance:

Mr. N. V. Chauhan, learned Advocate for the Applicant.

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J U D G M E N T

01. The applicant has filed this present application to condone the delay caused in filing appeal against the decision taken by the District Committee on **29.01.2026** pursuant to

application No.41410250009619 preferred by the present applicant under the Land Grabbing Act and the application of the applicant came to be filed holding therein that no case under the Land Grabbing Act is made out and the applicant herein was informed by the **learned Member Secretary & Resident Additional Collector** *vide* letter **dated 17.02.2026**. It is submitted that due to ignorance of law, the delay of **89 days** has occurred in preferring the appeal against the impugned decision taken by the District Committee. It is, therefore, prayed and submitted that the delay caused in filing appeal against the impugned decision of the District Committee may be condoned.

02. Upon institution of this application, notice has been issued to the opponents and the same has duly been served upon the opponents. None appeared on behalf of the opponents.
03. Heard learned Advocates appearing on behalf of the respective parties and considered the contents of the present application.
04. During the course of argument, the specific query was raised by this Court to the learned Advocate for the applicant regarding maintainability of appeal against the decision taken by the District Committee pursuant to an application preferred under the Land Grabbing Act. However, learned Advocate appearing for the applicant failed to point out anything in this regard.

05. Since the learned Advocate appearing on behalf of the applicant failed to point out before this Court any provision under the Land Grabbing Act to entertain the appeal against the decision taken by the District Committee pursuant to an application preferred under the Land Grabbing Act, the present application is dismissed without going into the merits of the case. Hence, I pass the following order :-

:: O R D E R ::

- (1) The present application stands **dismissed**.
- (2) In the interest of justice, no order as to cost.

Pronounced in the open Court today, on this 22nd Day of **July, 2026** at **Bhavnagar**.

(MS. HETAL SURESHCHANDRA DAVE)
4TH ADDITIONAL SESSIONS JUDGE,
BHAVNAGAR.
UI CODE NO.GJ00693

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