

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 2323 of 2026**

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GRT JEWELLERS INDIA PVT. LTD.

Versus

COLLECTOR , SURENDRANAGAR & ORS.

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Appearance:

MR SUNIL S JOSHI(2925) for the Petitioner(s) No. 1

MS DEVANSHIBA RANA, AGP for the Respondent(s) No. 1,9

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CORAM:HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI

Date : 09/03/2026

ORAL ORDER

1. Heard Mr. Sunil S. Joshi, learned advocate appearing for the writ-applicant and Ms. Devanshiba Rana, learned AGP appearing for the respondents No.1 and 5.

2. It is submitted by Mr. Sunil S. Joshi, the learned advocate appearing for the writ-applicant that the erstwhile owners of the land were issued notice by way of suo moto proceedings bearing No.Gharked Ordinance Case No.34 of 2024 by issuance of notice dated 27.11.2024, the original owners never appeared before the competent authority, however the petitioner Company being the subsequent purchaser by way of a registered sale deed dated 12.12.2018 appeared before the competent

authority by filing a reply.

3. It is submitted that the learned Deputy Collector by the impugned order held that the original owner having not appeared is in breach of Section 54 of the Saurashtra Gharkhed Ordinance.

4. Reliance is placed on the Mutation Entry No.7925 dated 08.04.2019, Mutation Entry No.7819 dated 22.11.2018 and Mutation Entry No.7892 dated 28.02.2019 wherein by order dated 30.10.2018, the land in question is ordered to be N.A. land for multi purpose use.

5. It is further submitted that, in view thereof, the suo moto proceedings under the Saurashtra Gharkhed Ordinance invoking breach of proceedings under Section 75 for breach of Section 54 are such that the same itself are without jurisdiction, the land having changed its nature as non-agricultural land and placing reliance on Section 2K of the Ordinance, such proceedings can be undertaken only with respect to the land which are used for agriculture purpose. The land in question is no longer used for agriculture purpose.

6. Submissions made by Mr. Joshi prima facie requires consideration.

7. Issue **Notice**, returnable on 09.04.2026. Learned AGP, Ms. Devanshiba Rana waives service of notice for and on behalf of the respondent No.9. In the interregnum period, let there be interim relief in terms of para 20(B).

(VAIBHAVI D. NANAVATI,J)

MAYA

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: MAYA SHANKERLAL CHAUHAN(HC01402), PRIVATE SECRETARY, at High Court of Gujarat on 10/03/2026 18:09:40