

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 2757 of 2026

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MOHMMAD RAFIQBHAI ALLAHRAKHABHAI GHANCHI

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR MONARCH K PANDYA(11437) for the Petitioner(s) No. 1

GOVERNMENT PLEADER for the Respondent(s) No. 1,2,3

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CORAM:HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI

Date : 27/02/2026

ORAL ORDER

1. Draft Amendment dated 16.02.2026 is taken on record. The same is allowed and directed to be carried-out forthwith.

2. Leave to add the party respondent no.4 is permitted. The same is directed to be carried-out forthwith.

3. Heard Mr. Monarch K. Pandya, learned advocate appearing for the petitioner.

4. By way of the present petition, petitioner herein is

aggrieved by the impugned communication / order dated 26.11.2025 (Annexure-A).

5. It is submitted that, the private respondent – a third party/ third person has preferred the Land Grabbing Act against the petitioner herein on 23.09.2025, which came to be ‘filed’ by communication dated 15.10.2025 (Annexure-H).

6. The said third party – respondent no.4 herein has once again filed application under the provision of the Land Grabbing Act against the petitioner herein for the same cause of action.

7. It is submitted that, once the said application having been ‘filed’, such application at the instance of the third party adversely affects the rights of the petitioner, while the said third party – respondent no.4 herein could have challenged the said order/ communication of the Collector / Committee constituted under Land Grabbing Act before the competent authority as prescribed under the Gujarat Land Grabbing (Prohibition) Act, 2020.

8. Prima-facie, submissions advanced by Mr. Monarch K. Pandya, learned advocate appearing for the petitioner, requires consideration. Issue **Notice** returnable on **30.03.2026**. Ms. Devanshiba Rana, learned AGP waives service of notice on behalf of the respondent no.1.

9. In the interregnum period, the impugned communication / order dated 26.11.2025 (Annexure-A) is directed not to be acted, in the interest of justice, till the next date of hearing.

(VAIBHAVI D. NANAVATI,J)

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