

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CIVIL APPLICATION NO. 3883 of 2025**

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LH OF DECD BABUBHAI BHANABHAI JAMNABEN BABUBHAI & ORS.
Versus
STATE OF GUJARAT & ORS.

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Appearance:

MR SALIL M THAKORE(5821) for the Petitioner(s) No.

1,1.1,1.2,1.2.1,1.2.2,1.2.3,1.2.4,1.2.5,1.2.5.1,1.2.5.2

MR JK SHAH, ASST. GOVERNMENT PLEADER for the Respondent(s) No.

1,2,3,4,5

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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL

Date : 28/04/2025

ORAL ORDER

1. Heard learned advocate Mr.Salil Thakore appearing on behalf of the petitioners.

2. By way of this petition, the petitioners challenge an order passed by the SSRD dated 21.08.2024, further confirming the order passed by the authorities below.

3. Considering the submissions made by learned advocate Mr.Thakore, it would appear that the grievance of the petitioners was that the name of the petitioners / their predecessors had not been entered into the revenue record when the succession entry following the demise of the original owner of the land had been mutated. It is further the case of the petitioners that the succession entry, at the relevant point of time, had excluded three daughters and one son of the original owner of the land and whereas, it was in such context that the

revenue authorities were approached.

3.1. It is further the case of the petitioners that during the interregnum, all the other persons whose names were mutated at the relevant point of time, have acceded to the request of the petitioners and had also filed an affidavit before the Deputy Collector on 17.08.2008 inter alia stating their no objection to the names of the petitioners being mutated.

3.2. Learned advocate would submit that as such, since the names of some other persons apart from the petitioners had not been mutated, such persons who may have interest in the property as per the revenue rights, have also been joined as party respondents.

4. Considering such a position, more particularly, having regard to the affidavit which is annexed with this petition, which was produced before the Deputy Collector at the relevant point of time, issue **Notice to the respondents, returnable on 28.07.2025**. Learned AGP Mr.Shah waives service of notice on behalf of the respondent - State. Direct service to rest of the respondents is permitted.

(NIKHIL S. KARIEL,J)

Bhoomi