

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 952 of 2026****With
R/FIRST APPEAL NO. 953 of 2026**

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PAGI NAVAJI DHIRAJI, SINCE DECED THRU HIS HEIR & ORS.

Versus

DEPUTY COLLECTOR AND SPECIAL LAND ACQUISITION OFFICER &
ANR.

=====
Appearance:

MR RAKESH R PATEL(3239) for the Appellant(s) No.

1,1.1,1.1.1,1.1.2,1.1.3,1.2,1.2.1,1.2.2,1.2.3,1.2.4,2,2.1,2.1.1,2.1.1.1,2.1.1.2,2.
1.1.3,2.1.2,2.1.2.1,2.1.2.2,2.1.2.3,2.1.2.4,2.2,2.2.1,2.2.2,2.2.3,2.2.4,2.2.4.1,2.
2.4.2,2.2.4.3,2.2.4.4,2.3,2.3.1,2.3.2,2.3.3,2.3.4,2.3.5,2.3.6,2.3.6.1,2.3.6.2,2.3.
6.3,2.3.6.4

MS URVASHI PUROHIT AGP for the Defendant(s) No. 1
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CORAM: HONOURABLE MR. JUSTICE J. C. DOSHI**Date : 17/03/2026****ORDER**

Heard learned advocate Mr. Rakesh Patel appearing for the appellants and Ms. Urvashi Purohit, learned Assistant Government Pleader appearing for the respondent State authorities.

These appeals are filed under Section 54 of the Land Acquisition Act, 1894 challenging the dismissal of the Reference on the ground that it is filed beyond the statutory time period.

Learned advocate Mr. Rakesh Patel referred the judgment passed by the coordinate Bench of this Court dated 10.02.2026 passed in First Appeal No. 103 of 2026 and submitted that in one of the group matters being Land

Reference Case No.187 of 2024, the Co-ordinate Bench after referring to the various authorities pronouncements, pleased to remand the matter for its fresh consideration.

Learned Assistant Government Pleader Ms.Purohit with all fairness submitted that the said order passed by the Co-ordinate Bench of this Court has been accepted by the State Government.

On perusal of the order passed by the Coordinate Bench, it appears that the Coordinate Bench framed the following issue to determine the said First Appeal, which read as under:

Whether the reference can be said to be barred by limitation ?

While answering the aforesaid issue in negative, the coordinate Bench of this Court assigned the reasons in paras:4, 5, 6 and 7 of its judgment.

Applying the aforesaid reasons to the facts of the present case, I am of the view that the said reasons are governing the issue raised in the present First Appeal. Nonetheless the principle of *res judicata* also applies. The order passed in the appeal arising from the group matter *ipso facto* applies in the present appeal also.

In the premises aforesaid, the present appeals are allowed. Impugned order passed by the Reference Court in a Reference No.191 and 192 of 2024 are hereby quashed and

set aside. Both the References are restored to its original file and remanded back to the concerned Court for deciding its own merits as early as possible. It is clarified that claimants would not be entitled for the interest for the period from 16.09.1975 to 30.09.1998.

(J. C. DOSHI,J)

MISHRA AMIT V.

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: AMIT VISHNUPRASAD MISHRA(HC00187), Principal Pvt. Secretary, at High Court of Gujarat on 18/03/2026 15:46:24