

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 3207 of 2026**

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BHAVNABEN ASHVINBHAI JAGDISHBHAI ADHVARYU @ ADHYARU
Versus
STATE OF GUJARAT & ORS.

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Appearance:

MR MEET D KAKADIA(11896) for the Petitioner(s) No. 1
MR. NISHIT P GANDHI(6946) for the Petitioner(s) No. 1
MR JAYNEEL PARIKH AGP for the Respondent(s) No. 1,2,3,4
NOTICE SERVED for the Respondent(s) No. 5

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CORAM:HONOURABLE MR. JUSTICE ANIRUDDHA P. MAYEE

Date : 11/08/2026

ORAL ORDER

1. The learned counsel for the petitioner is permitted to amend the cause-title and add the Mamlatdar, Vadodara City (South) as respondent No.6 in the present petition. The amendment be carried out forthwith.

2. The learned counsel Mr. Nishit Gandhi appearing for the petitioner submits that the mutation entry No.1397 dated 16.07.2002 in favour of the petitioner was kept pending in view of prima facie violation of the provisions of the Fragmentation Act. The learned counsel submits that thereafter, the proceedings under the Fragmentation Act came to be initiated against the petitioner and that, by the order dated 15.06.2019, the learned Deputy Collector, Vadodara City has dropped the fragmentation proceedings and has withdrawn the notice under the said Act. The learned counsel

submits that the said order has become final and no proceedings are now pending in respect of the Fragmentation Act in the present case. The learned counsel further submits that thereafter, the petitioner approached the respondent authorities for mutating his name in the revenue records. Accordingly, the mutation entry No.3260 came to be entered in the revenue records in respect of sale in favour of the petitioner. However, the said mutation entry has been rejected by the learned Deputy Collector on the ground that no further action has been taken in respect of the mutation entry No.1397 and therefore, the mutation entry No.3260 cannot be certified.

2.1 The learned counsel for the petitioner submits that though the petitioner has purchased the subject land by way of registered sale deed dated 09.07.2002 and two mutation entries have been effected in respect of the sale, none of the said mutation entries has been certified by the authorities despite the proceedings under the Fragmentation Act having been culminated in favour of the petitioner. The learned counsel, therefore, submits that appropriate directions be passed.

3. The learned AGP Mr. Jayneel Parikh appearing on behalf of the respondent authorities submits that if the petitioner makes fresh application in respect of certification of the mutation entry No.1397 dated 16.07.2002, the same shall be decided in accordance with law.

4. Considering the above submissions, the petitioner is directed to make an appropriate application for certification of the mutation entry No.1397 dated 16.7.2002 within a period of four weeks from

today. Upon receipt of such an application, the respondent No.6 Mamlatdar shall decide the same on its own merits and in accordance with law within a period of six weeks from the date of receipt of such an application. The learned Mamlatdar shall dispose of the application positively within six weeks. The learned Mamlatdar shall decide the application uninfluenced by order dated 17.12.2025 passed by the learned SSRD in Revision Application No. MVV/HKP/VDD/114/2023, order dated 06.06.2023 passed by the learned District Collector, Vadodara in R.T.S./Appeal/4/2021 as well as order dated 05.04.2021 passed by the learned Deputy Collector in R.T.S/Takrari/case no. 4/2021.

5. It is clarified that this Court has not gone into the merits of the case and no opinion is expressed thereon.

6. With the aforesaid direction, the present Special Civil Application is disposed of.

No order as to costs.

(ANIRUDDHA P. MAYEE, J.)

cmk

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: CHANDRASHEKHAR MAHESHKUMAR KOSHTI(HC01066), Principal Pvt. Secretary, at High Court of Gujarat on 12/08/2026 14:02:49