

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 4312 of 2026**

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MUHAMMAD FAROOQ ABDUL QADAR MEMON & ANR.

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR MAKBUL I MANSURI(2694) for the Petitioner(s) No. 1,2

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

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CORAM:HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI

Date : 27/03/2026

ORAL ORDER

1. Heard Mr. MTM Hakim, learned advocate appearing for the petitioners.

2. By way of the present petition, the petitioners herein have challenged the impugned order dated 12.09.2025 passed by the Special Secretary, Revenue Department wherein, the petitioners application for stay is rejected. It is submitted that the petitioner herein has purchased the property in question by way of a registered sale deed bearing No. 5327 dated 28.09.2020 duly produced on record at page 82 wherein, the entry is of the sale deed is duly certified in the revenue record as mutation Entry No. 16605.

3. The private respondents have challenged the said sale deed by preferring a Civil Suit which is pending before the competent Civil

Court as recorded by the SSRD and the Entry No. 16605 in favour of the petitioners herein. The Collector by the order dated 12.12.2024 directed to cancel the said entry. Initially the Deputy Collector rejected the appeal filed by the private respondents, however, the same was subject to the initial out come to any orders that may be passed by the competent Civil Court. The same was challenged before the Collector wherein, the Collector by the said order cancelled the entry No. 16605.

4. The petitioners herein in view thereof, approached the SSRD wherein, the SSRD by the impugned order dated 12.09.2025 rejected the petitioners application seeking stay. It is submitted by Mr. Hakim, learned advocate that the effect of the order passed by the Collector would be given in the revenue record which would be adversely affecting the petitioners though the proceedings before the SSRD as such would be infructuous. Further, the Civil Suit is also pending between the parties.

5. In the interest of justice, the parties to maintain status quo with respect to the revenue record as on today, however, the same would not come in way of the revisional authority to go ahead with the revision application and the same would also be subject to any further orders that may be passed in the Civil proceedings. The Civil proceedings having been transferred to Waqf Tribunal, the same

would be subject to any orders that may be passed by the Waqf Tribunal.

Issue notice making it returnable on 27.04.2026.

Direct service is permitted.

KUMKUM

(VAIBHAVI D. NANAVATI,J)