

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 4513 of 2026**

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SANDEEP KISHOR MAKWANA & ANR.

Versus

THE SPECIAL SECRETARY, REVENUE DEPARTMENT & ORS.

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Appearance:

MR.D K.PUJ(3836) for the Petitioner(s) No. 1,2

GOVERNMENT PLEADER for the Respondent(s) No. 1,2,3,4

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CORAM:HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI

Date : 21/04/2026

ORAL ORDER

1. Heard Mr. D. K. Puj, the learned advocate appearing for the petitioners.

2. It is the case of the petitioners that the issue pertains to Mutation Entry No.965 dated 27.07.2012 mutated pursuant to the registered sale deed executed on 23.04.2012 in favour of the private contesting respondents. That, the said entry was challenged by the petitioner before Appellate and Revisional Forum i.e. SSRD whereby vide an order dated 06.09.2025, the said entry came to be confirmed. That, the said order is subject matter of challenge in the present petition. It is further the case that

the land in question is allotted to Shri Harijan Juma Pachan by way of order dated 29.04.1983 by the learned Deputy Collector pursuant to which occupancy price was paid and the same was acknowledged vide a receipt dated 10.12.1990. It is further contended that the entry of the said allotment was also made in the revenue record vide an entry no.409 dated 14.06.1983. It is further the case that the said order of allotment pertains to survey No.174 (new Survey No.113) of village Nani Tumbdi, Taluka Mundra, District Kutch. That, neither this order or the entry is modified or set aside or made subject matter of challenge before any forum. However, the contesting respondents are claiming the ownership of the suit land and it is their say that it is only because of the mistake in mentioning the name of the village the error has crept in. As per there case, the allotment was not for the land of Nani Tumbdi but was for the land of Moti Tumbdi. That, there is a long drawn litigation between the parties. Considering the fact that the possession of the land as claimed by the petitioner is through out with them ad measuring Acre 5.00 Gunthas though the original allotment was of 11.29 Gunthas and the land grabbing proceedings against the petitioners are also dropped by the competent authority.

3. It is further submitted that parallel proceedings with respect to the very same sale deed entry being No.965 dated 27.07.2012 was mutated, objected by the petitioner by preferring appeal, revision and ultimately the learned SSRD has rejected the revision against which a separate petition is contemplated.

4. Considering the above submissions, issue Notice, making it returnable on 11.06.2026. By way of ad-interim relief, let there be status quo as on today.

Mr. Jayneel Parikh, the learned AGP waives service of notice for and on behalf of the respondent – State and Mr. Vimal Purohit, the learned advocate waives service of notice for and on behalf of the respondent No.5.

Direct service is permitted

(VAIBHAVI D. NANAVATI,J)

K.K. SAIYED