

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 3804 of 2025**

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SADHU ARVINDKUMAR MADHAVDAS

Versus

THE STATE OF GUJARAT & ORS.

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Appearance:

MR VINOD M GAMARA(5910) for the Petitioner(s) No. 1

NILESH J GOSAI(7325) for the Petitioner(s) No. 1

MR NIKUNJ KANARA, ASST. GOVERNMENT PLEADER for the
Respondent(s) No. 1,2,3

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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL**Date : 01/05/2025****ORAL ORDER**

1. Heard learned advocate Mr.Vinod Gamara appearing on behalf of the petitioner and learned Assistant Government Pleader Mr.Nikunj Kanara appearing on behalf of the respondent - State.

2. Considering the submissions made by learned advocate Mr.Gamara that though the proceedings had been taken out against the petitioner for breach of condition more particularly as regards non-cultivation of land in question, yet, report submitted by the Talati inter alia indicates that the petitioner was in possession and cultivating the land at the relevant point of time. It further appears more particularly as

per the documents attached with the additional affidavit which has been filed by the petitioner that from the year 1998-99 till date, the petitioner is continuously using the land for agricultural purpose.

3. Under such circumstances, issue **Rule returnable on 03.11.2025**. Learned AGP Mr.Kanara waives service of rule on behalf of the respondent - State. Direct service to rest of the respondents is permitted.

3.1. Till the final disposal of this petition, the State shall in no manner disturb the occupation of the petitioner on the land in question.

3.2. Right of the State to raise preliminary objections on all aspects are kept open.

(NIKHIL S. KARIEL,J)

Bhoomi

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: BHOOMI YOGESHBHAI MISTRY(HC01557), PRIVATE SECRETARY, at High Court of Gujarat on 05/05/2025 13:46:02