

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 4486 of 2026

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ROGIYABHAI ZULUBHAI PAWAR

Versus

STATE OF GUJARAT & ORS.

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Appearance:

JAGATSINH L VASAVA(7888) for the Petitioner(s) No. 1
MR ANGESH PANCHAL ASSISTANT GOVERNMENT PLEADER for
the Respondent(s) No. 1,2,3,4,5,6,7

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 10/07/2026

ORDER

1. Heard learned advocate Mr. Jagatsinh Vasava
appearing for the petitioner and learned
Assistant Government Pleader Mr. Angesh Panchal
appearing for the respondents.

2. By way of this petition, the petitioner has
prayed for following relief;

“(A) That Your Lordship be pleased to
admit and allow this Petition.

(B) Your Lordship be pleased to issue
directions in the form of Writ of Mandamus
or any other appropriate Writ or Order to
the Respondents to consider the

applications of the Petitioner made u/S 3(1)(a) of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 for allotment of land to the Petitioner where he has lived and thrived for generations.

(C) That pending admission, hearing and final disposal of this Petition, Your Lordship may be pleased to direct the respondents not to evict the Petitioner from the subject land by maintaining a status-quo.

(D) That Your Lordship be pleased to grant such other and further relief(s) as may be deemed fit and proper by this Hon'ble Court in the interest of Justice."

3. At the outset, it is submitted that the petitioner has not made any representation before the concerned Gram Sabha. Consequently, the concerned Gram Sabha has not forwarded the petitioner's case to the competent authority.

4. Learned Advocate Mr. Jagatsinh Vasava submits that, at this stage, instead of pressing the present petition any further, the petitioner seeks permission to make a fresh representation before the Gram Sabha of Diwantembrun Gram Panchayat of Taluka: Ahwa, District: Dang and in turn, if the Gram Sabha passes any resolution in

favour of the petitioner, to place it before appropriate authority in accordance with law.

5. In view of above, permission as prayed for is granted. The petitioner is directed to make a fresh representation to the Gram Sabha of Diwantembrun Village Panchayat, Taluka: Ahwa, District: Dang and the concerned Village Panchayat is directed to do the needful in case if any representation is received from the petitioner.

6. With the above direction, without entering into the merits of the matter, the petition is disposed of. Direct Service is permitted.

(NIRZAR S. DESAI, J)

Pallavi