

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 4274 of 2026**

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AASHNA SUSHILBHAI AGARWAL & ANR.
Versus
STATE OF GUJARAT & ANR.

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Appearance:

MR PREMAL S RACHH(3297) for the Petitioner(s) No. 1,2
MR JAYNEEL PARIKH, AGP for the Respondent(s) No. 1,2

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CORAM:HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI

Date : 27/03/2026

ORAL ORDER

1. Heard Mr. R. S. Sanjanwala, the learned Senior Counsel with Mr. P. S. Rachh, the learned advocate appearing for the petitioners.

2. By way of present petition, the petitioner is constrained to invoke Article 226 of the Constitution of India to challenge the impugned notice dated 18/25.02.2026, issued by Respondent No.2 against complaint filed by third party, one Shri Vinod Amrutlal Pandya for sale transaction in breach of Section 63 of the Gujarat Tenancy and Agricultural Land Act, 1948 (herein after referred to as, 'the Act') for short. Show-cause notice was issued invoking Section 84(C) of the Act for breach of Section 63 of the Act.

3. Mr. Sanjanwala, the learned senior counsel submits that powers are exercised at behest of some third party having no right, title or interest in the land in question.

4. It is submitted that it is well settled position of law and the discretion used by the learned Mamlatdar & ALT is as such without jurisdiction.

5. Issue Notice, making it returnable on 27.04.2026. Mr. Jayneel Parikh, the learned AGP waives service of notice for and on behalf of the respondent No.1.

6. In the interregnum period, interim relief in terms of para 11(B) is granted.

Direct service is permitted.

MAYA

(VAIBHAVI D. NANAVATI,J)