

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 5110 of 2026**

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KANTIBHAI DEVJIBHAI PATEL
Versus
STATE OF GUJARAT & ORS.

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Appearance:

MR KISHAN P KOTAK(13912) for the Petitioner(s) No. 1
MR VIMAL A PUROHIT(5049) for the Petitioner(s) No. 1
MR. SANJAY UDHWANI, ASSISTANT GOVERNMENT PLEADER for the
Respondent(s) No. 1,2,3

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**CORAM:HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA
AGARWAL**
and
HONOURABLE MR.JUSTICE D.N.RAY

Date : 20/04/2026

ORAL ORDER

(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL)

Having heard the learned counsel for the petitioner, we find that the present petition has been filed by a person who claims to be the co-owner of a land, which has been acquired during the life time of his father, who according to the petitioner, had left a Will in the name of the petitioner.

On many queries made by the Court about the status of the co-sharers of the land-in-question and the persons in whose name the land-in-question was recorded at the time of acquisition/utilisation, no proper answer could be given by the learned counsel for the petitioner. We found that the present petition is prepared with incomplete facts and misleading

statements, which has created gaps in the events leading to the allegation of utilisation of the land-in-question without acquisition process.

When the above aspects were pointed out, the learned counsel for the petitioner prays for and is granted permission to withdraw the present petition with the liberty to file a fresh petition with better particulars. The petition stands dismissed, as withdrawn, with the liberty as prayed for.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

C.M. JOSHI