

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 6092 of 2025**

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JESINGBHAI CHHANABHAI KOLI

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR BRIJESH K RAMANUJ(9898) for the Petitioner(s) No. 1

MR JAYNEEL PARIKH ASSTT. GOVERNMENT PLEADER for the

Respondent(s) No. 1,2,3

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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL**Date : 02/05/2025****ORAL ORDER**

1. Heard learned advocate Mr. Brijesh Ramanuj for the petitioner and learned AGP Mr. Jayneel Parikh for the respondent No.1 – State.

2. By way of this petition, the petitioner challenges an order passed by the Mamlatdar, Thangadh, dated 28.05.2021, rejecting the application preferred by the petitioner under the Mamlatdar Courts Act being Case No.4/2020 and order passed by the Deputy Collector, Chotila, dated 13.11.2024 confirming the order passed by the Mamlatdar.

3. Considering the submissions made by learned advocate Mr. Ramanuj, issue Notice to the respondents, returnable on 03.07.2025. Learned AGP Mr. Parikh waives service of notice on behalf of the respondent No.1 – State. Direct service is permitted for rest of the respondents.

By the returnable date, the Mamlatdar, Thangadh, shall have a site inspection report prepared in presence of both the parties concerned and

whereas the Mamlatdar in the site inspection report, shall specify as regards the disputed pathway as well as any pathway the petitioner has to go to the his agriculture field.

It is clarified that in case, the Mamlatdar, Thangadh, is the very officer, who had passed the order dated 28.05.2021, then the Collector shall depute a different Mamlatdar for carrying out the exercise as above. The Mamlatdar shall also produce a village map along with above documents on the returnable date.

(NIKHIL S. KARIEL,J)

Y.N. VYAS

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: YAGNESH NARENDRABHAI VYAS(HC00207), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 02/05/2025 19:03:28