

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 6900 of 2026**

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CHETNABEN MIHIRBHAI PANDYA (CHETNA VASUDEV RAVAL -
MAIDEN NAME)

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR.MAULIK G. NANAVATI AND MR.KISHAN PATEL for
NANAVATI & CO.(7105) for the Petitioner(s) No. 1

MR.SANJAY UDHWANI, ASST.GOVERNMENT PLEADER for the
Respondent(s) No. 1,2,3,4

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CORAM:**HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL**

and

HONOURABLE MR.JUSTICE D.N.RAY

Date : 10/08/2026

ORAL ORDER

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

1. In compliance of the order dated 25.06.2026, the affidavit of Resident Additional Collector from the office of the Collector, Mehsana, on behalf of respondent No. 2, filed today in the court, is taken on record.

2. In response to the queries made in the order dated 25.06.2026, specifically in paragraphs '8', '9', and '10', it is demonstrated before us that the post of Prant Officer is equivalent to that of Deputy Collector and Assistant Collector and as per Section 9 of the Gujarat Land Revenue Code, 1879, they are subordinate to the Collector. The Prant Officer, Deputy Collector and Assistant Collector belong to the same

cadre and the said fact is also evident from the Government Resolution dated 05.07.2019 pertaining to the cadre schedule and cadre strength of Gujarat Administrative Services, Class 1, issued by the General Administration Department of the Government of Gujarat.

3. Further, from Section 10 of the Gujarat Land Revenue Code, 1879, it may be noted that it is well within the jurisdiction of the State Government to entrust the duties of the Collector upon any of the Deputy Collector or Assistant Collector appointed by it, besides the power conferred upon the Collector to entrust its functions.

4. Further, Section 43 of the Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013 (for short, the Act' 2013) itself provides that any officer not below the rank of Joint Collector or Additional Collector or Deputy Collector or equivalent official of Revenue Department may be notified by the State Government to be the Administrator for Rehabilitation and Resettlement.

5. In view of the above, we do not find any fault in the notification dated 08.09.2025 issued by the State Government notifying Prant Officer as Administrator under Section 43 of the Act' 2013.

6. On the second issue with regard to the communication sent by the Prant Officer asking the acquiring body to prepare the scheme for rehabilitation and resettlement under Section 16 of the Act' 2013, it is categorically stated in paragraph '4'

of the aforesaid affidavit filed today that the acquiring body has no role to play in the process of preparation of rehabilitation and resettlement scheme. The Prant Officer notified as Administrator, thus, is not at liberty to delegate any task that is mandated under the provisions of the Act' 2013 and in this regard, the Revenue Department vide communication dated 30.07.2026 has issued necessary directive to the Prant Officer, Kheralu to strictly adhere to the provisions of the Act 2013, and not to delegate any of his responsibility required to be discharged as an Administrator under the Act' 2013.

7. Lastly, it is submitted that the State respondent is committed to complete the process of preparation and notification of Rehabilitation and Resettlement Scheme as per the provisions of the Act' 2013 within a period of three(3) months as committed in the previous affidavit dated 24.06.2026 filed on behalf of respondent.

8. Taking note of the above, we provide three months' time from today for preparation and notification of Rehabilitation and Resettlement Scheme strictly adhering to the procedure prescribed in the provisions of Act' 2013 and place the same before the Court along with the affidavit of the competent officer. Put up this matter on **26.11.2026**.

9. It is submitted by Mr. Sanjay Udhwani, learned Assistant Government Pleader appearing for the State respondent that the above statement is made by him on the instructions issued by Mr. G.H. Virk, learned Government Pleader, who had a

consultation with the officers of the Revenue Department for completion of the process of the Rehabilitation and Resettlement Scheme in a time bound manner.

(SUNITA AGARWAL, CJ)

SAHIL S. RANGER

(D.N.RAY,J)