

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 6939 of 2026**

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VIRJIBHAI CHHAGANBHAI DAFDA

Versus

THE COLLECTOR & ORS.

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Appearance:

MR AR THACKER(888) for the Petitioner(s) No. 1

SHIVANG A THACKER(7424) for the Petitioner(s) No. 1

MR JAYNEEL PARIKH, AGP for the Respondent(s) No. 1,2,3

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CORAM:HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI**Date : 08/05/2026****ORAL ORDER**

1. Heard Mr. Shivang A. Thacker, learned advocate appearing for the petitioner and Mr. Jayneel Parikh, learned AGP appearing for the respondent authorities.

2. By way of present petition, the petitioner herein has challenged the impugned order dated 21.04.2026 passed by the Deputy Collector, Bhachau, in J.M.Ni.108(1) Takrari Case No.25/2026 by which, the Entry No.15571 qua the land bearing Survey No.2000 paiki 243 of Mouje : Bhachau, Taluka : Bhachau, District : Kutch, admeasuring 1 Hector 61 Are and 88 Sq. Mtrs., is rejected.

3. When the matter is taken up for hearing, it is pointed out

by Mr. Shivang A. Thacker, learned advocate appearing for the petitioner that, while rejecting the petitioner's application for mutation of the entry of a registered sale deed, the entry is declined to be mutated on the ground that the order passed in Special Civil Application No.2130 of 2026 is required to be taken in Appeal.

4. Upon perusal of the impugned order, in the opinion of this Court, such order is contemptuous in nature, the Deputy Collector having stated that the order passed in Special Civil Application No.2130 of 2026 is required to be taken in Appeal.

4.1 The matter was listed on 07.05.2026 however, is listed today upon request made by Mr. Jayneel Parikh, learned AGP.

5. When the matter is taken up for hearing, Mr. Jayneel Parikh, learned AGP has placed on record communication dated 06.05.2026 wherein, the Deputy Collector has requested the Collector, Kutch, to revised her order, the same being derogatory to the order passed by the High Court. Notice is issued by the Collector on 07.05.2026. Such communication is a back dated communication wherein, the matter is listed for the first time on 07.05.2026 and there was no occasion for the

Deputy Collector to communicate on 06.05.2026.

5.1 Mr. Jayneel Parikh, learned AGP, upon instructions, has also placed on record copy of the outward register, which came to be maintained by the Office wherein, all the outward communications were recorded and thereafter, it would be sent to the concerned authority/person.

6. Considering the aforesaid, since the Notice is issued by the Collector on 07.05.2026, the corrective measures be placed on record on or before the next returnable date.

Put up on **08.06.2026.**

(VAIBHAVI D. NANAVATI,J)

NEHA