

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 7137 of 2026**

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VANAR ANDUBHAI NAGJIBHAI & ANR.

Versus

DEPUTY COLLECTOR/PRANT OFFICER & ORS.

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Appearance:

MR NAUMAN S QURESHI(10669) for the Petitioner(s) No. 1,2

MR SHAKEEL A QURESHI(1077) for the Petitioner(s) No. 1,2

GOVERNMENT PLEADER for the Respondent(s) No. 1,2

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CORAM:HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI

Date : 08/05/2026

ORAL ORDER

1. Heard Mr. Shakeel A. Qureshi, learned advocate appearing for the petitioners.
2. By way of the present petition, the petitioner herein has invoked Article 226 of the Constitution of India challenging the impugned order dated 03.06.2025 passed by the respondent no. 1 – Deputy Collector/Prant Officer in CTS Appeal No. 04 of 2025 wherein by the said order, the parties are directed to maintain status quo till the final decision of the appeal, however, the respondent authority has failed to decide the application made by the third person, the applicant who is stated be public spirited person and further the matter is placed for hearing to determine the question of delay.

2.1. It is submitted in absence of an order for condonation of delay, the impugned order is without jurisdiction considering the fact that it was incumbent for the petitioner to prefer an application seeking condonation of delay.

2.2. Reliance is placed on Rule 108(5) of the Gujarat Land Revenue Rules, 1972, wherein the limitation period provided for filing of appeal is 60 days. Admittedly, appeal preferred by the private respondent is barred by delay and laches.

3. Issue notice making it returnable on 02.07.2026.

4. In the interregnum period, the impugned order dated 03.06.2025 passed by the respondent no. 1 – Deputy Collector/Prant Officer is directed to be stayed till further orders.

Direct service is permitted.

KUMKUM

(VAIBHAVI D. NANAVATI,J)