

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 7052 of 2026**

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ASHOKKUMAR JYOTIPRASAD JAIN & ANR.

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR PRADIP K VALERA(13303) for the Petitioner(s) No. 1,2

MR VIMAL A PUROHIT(5049) 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. Vimal A. Purohit, learned advocate appearing for the petitioners.

2. It is submitted that the petitioner herein is constrained to invoke Article 226 of the Constitution of India upon receipt of the show-cause-notice dated 30.10.2025 issued by the Mamlatdar and ALT, Vadodara (Rural) under the provision of Section 84(C) of the Bombay Tenancy and Agricultural Land Act, 1948, for a transaction wherein the petitioner herein purchased the land bearing Survey No. 459, Block No. 504 of Village: Ankhi, Taluka: Vadodara purchased by the petitioner in the year 2010.

2.1. It is submitted that the initiation of such proceedings under

Section 84C of the Act after a delay of 15 years. It is submitted that the entry of the registered sale deed is duly certified by mutation entry no. 2622 on 07.01.2011.

3. Reliance is placed on the decisions, i.e. (i) order dated 22.08.2024 passed in Special Civil Application No. 1118 of 2025, wherein, in an identical facts / situation, the show cause notice issued belatedly is stayed; (ii) in the case of ***State of Punjab and Others v/s. Bhatinda District Cooperative Milk Producers Union Limited*** reported in ***(2007) 11 SCC 363*** and (iii) in the case of ***Bharatbhai Naranbhai Vegda & Ors. v/s. State of Gujarat & Ors.*** reported in ***2016 (2) GLR 1021***.

4. Considered the submissions. Issue Notice returnable on 02.07.2026. Ms. Devanshiba Rana, learned AGP waives service of Rule for and on behalf of the respondent No. 1 – State.

5. In the meantime, interim relief in terms of Para-22(D) is granted.

Direct service is permitted qua rest of the respondents.

(VAIBHAVI D. NANAVATI,J)

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