

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 7081 of 2026****FOR APPROVAL AND SIGNATURE:****HONOURABLE MR. JUSTICE HEMANT M. PRACHCHHAK Sd/-**

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Approved for Reporting	Yes	No
		No

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MITESH BHARATBHAI MEVADA

Versus

THE STATE OF GUJARAT & ANR.

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Appearance:

MR. NISHIT P GANDHI(6946) for the Petitioner(s) No. 1

RAHULKUMAR D PATEL(9020) for the Petitioner(s) No. 1

MR VAIBHAV SHARMA AGP for the Respondent(s) No. 1,2

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CORAM: HONOURABLE MR. JUSTICE HEMANT M. PRACHCHHAK**Date : 08/05/2026****ORAL JUDGMENT**

1. Present application is filed by the petitioner under Articles 14, 21 and 226 of the Constitution of India and under the provision of Gujarat Prohibition of Transfer of Immovable Property and Provision for Protection of Tenants from Eviction from Premises in Disturbed Areas Act, 1991 (herein after referred to as the "Act") seeking below mentioned relief/s:-

"19. A. YOUR LORDSHIPS may be pleased to issue a writ of mandamus or writ in the nature of mandamus directing the

respondent Deputy Collector to decide and pass final order with regards to the application dated 24.09.2025 of the petitioner (at Annexure-C hereto) as expeditiously as possible, preferably within a period of 2 weeks and thereby grant necessary permission under Section 5(3)(a) of the Gujarat Prohibition of Transfer of Immovable Property and Provision for Protection of Tenants from Eviction from Premises in Disturbed Area Act, 1991;

B. During the pendency and final disposal of the present petition, YOUR LORDSHIPS may be pleased to direct the respondent Deputy Collector to decide the application dated 24.09.2025 of the petitioner (at Annexure-C hereto) filed under Section 5(3)(a) of the Gujarat Prohibition of Transfer of Immovable Property and Provision for Protection of Tenants from Eviction from Premises in Disturbed Area Act, 1991 as expeditiously as possible, preferably within a period of 2 weeks;

C. Pass any such other and/or further orders that may be thought just and proper, in the facts and circumstances of the present case."

2. Heard learned counsel appearing for the respective parties.

3. Learned counsel for the petitioner submits that the application dated 24.09.2025 of the petitioner filed under Section 5(3)(a) of the Act is pending before respondent No.2. He urges before the Court to direct the respondent No.2 to decide the said application filed by the petitioner within reasonable time period.

4. On the other hand, Mr. Sharma learned AGP for the respondents submits that if the aforesaid application is pending before respondent No.2, then the same shall be decided, within time period fixed by this Court.

5. I have perused the record of the petition. It appears from the record that the application dated 24.09.2025, of the petitioner filed under Section 5(3)(a) of the Act, has not been decided till date and has been pending before the respondent No.2 for a considerable period, though the outer limit prescribed is 60 days.

6. In view of the above, the respondent No.2 is hereby directed to decide the application dated 24.09.2025 of the petitioner filed under Section 5(3)(a) of the Act, preferably within period of two months from the date of receipt of copy of present order, in accordance with law.

SURESH SOLANKI

Sd/-
(HEMANT M. PRACHCHAK,J)