

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 11204 of 2022**

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PRADHUMANBHAI BHANUSHANKAR TRIVEDI
Versus
STATE OF GUJARAT

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Appearance:

MR MAYUR RAJGURU(1198) for the Petitioner(s) No. 1,2,3

MR SALIM M SAIYED(5172) for the Petitioner(s) No. 1,2,3
for the Respondent(s) No. 2,3,4,5,6MR J. K. SHAH, ASSISTANT GOVERNMENT PLEADER/PP for the
Respondent(s) No. 1

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CORAM: HONOURABLE MS. JUSTICE SANGEETA K. VISHEN

Date : 11/07/2022**ORAL ORDER**

1. Mr Maulik Nanavati, learned advocate appearing with Mr Mayur Rajguru, learned advocate for the petitioners submitted that the N.A. permission was granted in the year 1983. The parties acted upon the said N.A. permission. After almost 36 years, the private respondent applied for division of the plots. The Deputy Collector, rejected the application on the ground that if at all the parties are desirous of seeking division, it being the dispute of civil nature, they can very well approach the court of competent jurisdiction. The Collector, also on the same line as of the Assistant Collector, rejected the appeal. Learned Special Secretary, Revenue Department (Appeals) (hereinafter referred to as "learned Secretary"), though observed that the dispute is of civil nature and the suit is also filed; however, directed division of the plots. Mr Nanavati, learned advocate submitted that by observing thus, in the RTS proceedings, learned Secretary has virtually decreed the suit of the petitioners.

2. Considered the submissions. Issue notice, returnable on 23.8.2022. In the meantime, parties are directed to maintain status quo qua revenue entires with respect to the land in question.

RAVI P. PATEL

(SANGEETA K. VISHEN,J)