

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 7848 of 2026**

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MUSTUFA FAKHRUDIN PITHAPURWALA & ANR.

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MR HS MUNSHAW(495) for the Petitioner(s) No. 1,2

MR RUSHABH H MUNSHAW(8958) for the Petitioner(s) No. 1,2

MS NIRALI SARDA AGP for the Respondent(s) No. 1,2,3

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CORAM:HONOURABLE MR. JUSTICE ANIRUDDHA P. MAYEE**Date : 09/06/2026****ORAL ORDER**

1. Heard the learned counsel for the petitioners. It is submitted that by the impugned order dated 11.03.2026 in suo motu Review Case No.10 of 2025, the Collector, Dahod has taken into revision the mutation entry No.27432 dated 25.06.2012 and ordered deletion of the said mutation entry and all the subsequent mutation entries effected in respect of survey No.479/2. The learned counsel submits that by catena of decisions, it has been held that the suo motu revision in respect of the mutation entry cannot be undertaken beyond reasonable period of time, i.e. 3 years. He submits that in the present case, the suo motu revision has been initiated after a period of more than 13 years. He submits that the impugned order is beyond jurisdiction and cannot be sustained in law.

2. The learned AGP submits that in the present case, the revenue authorities have detected a fraud in respect of

measurement of the land in question. She submits that the survey No.479/2 was originally measured at 1-33-55 H-RA-Sq.Mtrs.. However, by the order of the Deputy Collector & Prant Officer, Dahod dated 04.06.2012, the said subject land has been remeasured at 2-36-00 H-RA-Sq.mtrs.. She submits that in view of discrepancy in the measurement, the present proceedings have been initiated.

3. Considering the submissions, issue Notice, returnable on 27.08.2026. The learned AGP waives service of notice on behalf of the respondent Nos.1 to 3. In addition, direct service for respondent Nos.2 and 3 is permitted.

4. In the meantime, status quo with respect to revenue entries of plot Nos.71 paiki, 18 to 22 and 44 to 48 of survey No.479/2, as on today, shall be maintained till the next date of hearing.

(ANIRUDDHA P. MAYEE, J.)

cmk