

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/LETTERS PATENT APPEAL NO. 851 of 2014****In R/SPECIAL CIVIL APPLICATION/10137/2003**=====

KANJIBHAI DEVSHIBHAI PATEL

Versus

STATE OF GUJARAT & ANR.

=====

Appearance:

MR B S PATEL, SENIOR ADVOCATE MR CHIRAG B PATEL(3679) WITH
MR UMANG H OZA WITH MS ASHA TIWARI WITH MR KHUSH PATEL,
ADVOCATES for the Appellant(s) No. 1MS HETAL PATEL, ASSISTANT GOVERNMENT PLEADER for the
Respondent(s) No. 1RULE SERVED for the Respondent(s) No. 2

=====**CORAM: HONOURABLE THE CHIEF JUSTICE MRS.****JUSTICE SUNITA AGARWAL**

and

HONOURABLE MR. JUSTICE D.N. RAY**Date : 11/08/2026****ORAL ORDER****(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL)**

1. After an extensive arguments on the merits of the appeal challenging the judgment and order dated 12.11.2013 of rejection of the writ petition filed by the petitioner herein, challenging the legality and validity of the order dated 15.07.2003 passed by the State Government canceling the auction sale made in favour of the petitioner in the revision proceedings, Mr. B. S. Patel, learned senior counsel appearing for the appellant would submit that the appellant is ready and

willing to pay the market price of the land-in-question which was sold in his favour by way of a sale-deed dated 22.01.2002 in the auction sale held on 09.10.2001.

2. The submission is that the petitioner is ready and willing to pay the market price of the land-in-question as on date of the order passed by the State Government canceling the auction which is 15.07.2003.

3. It may be noteworthy that the petitioner claims to be in possession of the land in question since 22.01.2002 when the order of cancellation of auction was set aside by the Assistant Registrar in revision, allowed on 07.01.2002. Over the period of time, during the pendency of the writ petition out of which the present appeal has arisen, which was filed in the year 2003 itself, the petitioner continues to enjoy the land-in-question.

4. Taking note of the above, we post the matter on **17.08.2026 at 02:30 p.m.** to enable Ms. Hetal Patel, learned Assistant Government Pleader appearing for the State respondents to seek instructions on the offer given by the

petitioner to pay market price of the land-in-question as on
15.07.2003.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

A. B. VAGHELA