

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/WRIT PETITION (PIL) NO. 34 of 2011**

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KABABHAI MALDHARI

Versus

STATE OF GUJARAT - THROUGH SECRETARY

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Appearance:

MR TATTVAM K PATEL(5455) for the Applicant(s) No. 1

MS.MANISHA LAVKUMAR SHAH, LD. ADDL. ADVOCATE GENERAL
WITH MR.JAY B. TRIVEDI, ASST.GOVERNMENT PLEADER for the
Opponent(s) No. 1

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

and

HONOURABLE MR. JUSTICE PRANAV TRIVEDI

Date : 09/05/2025

ORAL ORDER

**(PER : HONOURABLE THE CHIEF JUSTICE
MRS. JUSTICE SUNITA AGARWAL)**

1. The additional affidavit dated 08.05.2025 of the Joint Secretary, Revenue Department, filed today in the Court, is taken on record. It is stated therein that by virtue of the Government Resolution dated 7.08.2025, the Committee constituted was empowered to appoint any expert member in the matter related to the issues of determining the Maldharis and landless laborers for issuance of Agriculturist Certificate.

2. A retired IAS Officer, who has been posted in various districts of Saurashtra region and remained Secretary in the office of the Special Secretary (Appeals), Revenue Department having sufficient experience in operating and working in

various revenue laws of the State has been appointed by the Committee as an expert to submit a comprehensive report pertaining to the provisions of Section 54 of the Saurashtra Gharkhed, Tenancy Settlement and Agricultural Lands Ordinance, 1949 (for short, 'the Act' 1949').

3. The expert member has submitted report to the Committee on 04.04.2025 and thereafter, meetings were held by the Committee for deliberations on various issues pertaining to the definitions and provisions of Maldhari and applicability of the explanation to Section 54; income criteria enumerated in Section 54; objections for inserting the said explanation under Section 54 of the Act' 1949. The Committee has, therefore, forwarded the report to the State Government by a communication dated 06.05.2025, which is under evaluation at the level of the State Government.

4. Taking note of the above, we post the matter on **08.08.2025** at **12:30 Hours** to enable the Secretary, Revenue Department to file progress report made in the matter.

(SUNITA AGARWAL, CJ)

(PRANAV TRIVEDI,J)

SAHIL S. RANGER

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: SAHIL SAMIULLA RANGER(HC01898), PRIVATE SECRETARY, at High Court of Gujarat on 13/05/2025 16:41:30