

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 13399 of 2021**

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CHIMANBHAI MANJIBHAI DOBARIYA
Versus
STATE OF GUJARAT

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Appearance:

MR JIGAR P RAVAL(2008) for the Petitioner(s) No. 1,2

MR HARDIK MEHTA, AGP for the Respondent(s) No.

1,2,3,4,5,6,6.1,6.2,6.3,6.4,6.5,6.6

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CORAM: HONOURABLE MR. JUSTICE NIKHIL S. KARIEL

Date : 20/09/2021**ORAL ORDER**

Heard learned Advocate Mr. Jigar P. Raval for the petitioners and learned AGP Mr. Hardik Mehta for the respondents.

Learned Advocate Mr. Raval draws attention of this Court to an order dated 06.07.2015 by the Mamlatdar, Rajkot whereby the Mamlatdar had in detail considered the objections raised by the objectors against entering the registered sale deed dated 11.09.2008 in the revenue record of the land concerned and has rejected the same while directing certain endorsement to be made in Form No.7 of the revenue record. Learned Advocate submits that the same had been challenged before the Deputy Collector and whereas even the Deputy Collector, after considering the objections raised by the objectors, has rejected such objections. It is submitted that without considering these relevant aspects, merely on issues which were already clarified before the Mamlatdar as well as the Deputy Collector, the Collector, Rajkot has remanded the matter back. Learned Advocate would submit that while the registered sale deed is of

the year 2008 just because objections have been raised in persons who otherwise do not have any right, title or interest over the land, the present petitioner is unable to have mutation with regard to registered sale deed mutated in the revenue record. It is submitted that the said order of the Collector has been confirmed by the revisional authority vide an order dated 07.08.2021, more particularly in spite of the fact that none of the private respondents had appeared before the revisional authority.

Having regard to the same, issue Notice to the respondents, returnable on 28.10.2021.

Learned AGP waives service of Notice on behalf of respondent No.1.

Till the returnable date, interim relief in terms of para 6(C) is granted.

Direct service is permitted.

(NIKHIL S. KARIEL,J)

Bharat