

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**  
**R/SPECIAL CIVIL APPLICATION NO. 13044 of 2021**

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LATE RABARI GANESHBHAI JORABHAI SINCE DECD. THROUGH HIS  
LEGAL HEIRS  
Versus  
STATE OF GUJARAT & 5 other(s)

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Appearance:

MR TEJAS P SATTA(3149) for the Petitioner(s) No.  
1,1.1,1.2,1.3,1.4,1.5,1.6,1.6.1,1.6.2

for the Respondent(s) No. 1,2

MR. HARDIK MEHTA FOR THE RESPONDENT NO.1.

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**CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL**

**Date : 08/09/2021**

**ORAL ORDER**

Heard learned Advocate Mr. Tejas P. Satta on behalf of the petitioners and learned Assistant Government Pleader Mr. Hardik Mehta on behalf of the respondent No.1.

2. By way of this petition, the petitioners challenge an order passed by the District Collector, Mehsana dated 13.8.2021 confirmed by the order passed by the Revisional Authority dated 12.8.2021 whereby the land which had been granted to the forefather of the petitioners vide order dated 26.4.1968, is sought to be taken over more particularly by coming to a conclusion that some fraud had been committed in the revenue record and whereas the land is illegally occupied by the petitioners.

3. Learned Advocate submits that while the order dated 26.4.1968 granting land to the forefathers of the petitioners and others is not under question, the relevant aspect being that in the year 1980,81, upon amalgamation of the land, the survey no. 8 which had been granted to the

father of the petitioners, have been redesignated as block no. 17 under the head 'khada tekra land'. It is submitted that while at a later stage, besides the said nomenclature the name of the father came to be written and that was the whole basis of the suo motu proceedings initiated by the District Collector, yet the fact remains that the original order of the year 1968, is still in existence.

4. Having regard to the same, issue **Notice** to the respondents returnable on 29.9.2021.

5. The respondent authorities are directed to maintain status quo with regard to the land in question till the next date of hearing.

6. It is directed that on the next date of hearing apart from the reply which may be filed by the respondents, the original record shall be kept ready for the perusal of this Court.

7. Direct Service is permitted.

MARY VADAKKAN

**(NIKHIL S. KARIEL,J)**