

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 17361 of 2017**

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JENTIBHAI JERABHAI GHARSANDIYA & 5 other(s)

Versus

STATE OF GUJARAT & 13 other(s)

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Appearance:

MR KV SHELAT(834) for the Petitioner(s) No. 1,2,3,4,5,6
 for the Respondent(s) No. 13.1.1,13.1.2,13.1.3,13.1.4,13.1.5,13.1.6
 DECEASED LITIGANT(100) for the Respondent(s) No. 13,13.1
 MR KRUTIK PARIKH AGP (1) for the Respondent(s) No. 1,2,3,4,5
 NOTICE NOT RECD BACK(3) for the Respondent(s) No. 7
 NOTICE SERVED(4) for the Respondent(s) No. 10,11,12,14,6,8,9

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CORAM:HONOURABLE MS. JUSTICE SANGEETA K. VISHEN

Date : 27/08/2021

ORAL ORDER

1. Mr.K.V. Shelat, learned advocate for the petitioners submitted that the captioned writ petition is arising out of and connected to the proceedings, which were initiated by the Collector and the Special Secretary, Revenue Department (Appeals), Ahmedabad (hereinafter referred to as the 'SSRD'). It is submitted that the present writ petition is similar to the matter being Special Civil Application No.16522 of 2017. The issue revolves around the mutation of Entry No.790, which was taken in suo-motu revision by the Collector. The Collector has passed the order dated 30.06.2014/03.07.2014 whereby, the Entry No.790 and all the subsequent transactions and the entries have been quashed and set aside. Being aggrieved, the petitioners have approached the learned SSRD, who, vide order dated 24.07.2017, rejected the revision application and confirmed the order dated 30.06.2014/03.07.2014 passed by the Collector.

2. The case of the petitioners is to the effect that the petitioners have purchased the land bearing Survey No.100/12 from Chetnaben and Dr.Mansukhbhai by registered sale deed dated 03.05.2010

pursuant whereof, Entry No.3976 dated 15.06.2010 was mutated in the revenue record and certified on 20.07.2010.

3. It is submitted that Entry No.790 mutated in the revenue record in the year 1991 was taken in suo-motu revision in the year 2009 by issuing the show-cause notice by the Collector.

4. Mr.Shelat, learned advocate for the petitioners has placed on record the order dated 26.11.2019 passed by this Court in Special Civil Application No.16522 of 2017 and urged to pass the similar order, the facts of the captioned writ petition being identical.

5. Considering the issue involved, the present writ petition requires consideration.

6. Hence, Rule, returnable on **14.09.2021**.

7. To be heard alongwith Special Civil Application No.16522 of 2017.

Hitesh

(SANGEETA K. VISHEN,J)