

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 10809 of 2025**

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DECD. BUDHAJI LALJI THROUGH LHS & ORS.

Versus

STATE OF GUJARAT & ORS.

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Appearance:

MS TRUSHA PATEL, LD. SR. COUNSEL with MR BHAVESH

BABARIYA(6788) for the Petitioner(s) No.

1,1.1,1.2,1.3,1.3.1,1.3.2,1.3.3,1.3.4,1.3.5,1.3.6

GOVERNMENT PLEADER for the Respondent(s) No. 1,2,3,4

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CORAM:HONOURABLE MR. JUSTICE ANIRUDDHA P. MAYEE

Date : 05/08/2025

ORAL ORDER

1. Heard the learned senior counsel Ms. Trusha Patel for the petitioners.

2. The learned senior counsel submits that despite categorical findings recorded by the Coordinate Bench of this Court in the earlier round of litigation being Special Civil Application No.5803 of 2021 vide order dated 28.02.2023, the learned Gujarat Revenue Tribunal, by the impugned order, has taken into consideration the facts which were not material for adjudication and has set aside the order of the Mamlatdar and confirmed the order of the Deputy Collector in Tenancy Revision Application No.2 of 2017. She also submits that the predecessors of the petitioners are in possession of the land and are cultivating the same from the year 1924. She submits that the revenue receipts from the year 1933 till the year 2000 have also been placed on record.

3. Issue Notice, returnable on 22.09.2025.

4. In the meantime, there shall be ad-interim stay of the impugned order dated 18.05.2017 passed by the Deputy Collector in Tenancy Revision Application No.2 of 2017 and the order dated 06.05.2025 passed by the Gujarat Revenue Tribunal in Revision/BA/156/2017 till the next date of hearing.

(ANIRUDDHA P. MAYEE, J.)

cmk