

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 13179 of 2025**

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SAFAL BUILDCON PVT. LTD.**Versus****STATE OF GUJARAT & ORS.**

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Appearance:**MR P.K. JANI, SR. COUNSEL with MR PARTH BHATT with MS KHYATI A CHUGH(10132) for the Petitioner(s) No. 1****GOVERNMENT PLEADER for the Respondent(s) No. 1,2,3**

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CORAM:HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI**Date : 22/09/2025****ORAL ORDER**

1. Heard Mr. P.K. Jani, learned Senior Counsel with Mr. Parth Bhatt, learned advocate with Ms. Khyati A. Chugh, learned advocate appearing for the petitioner.

2. Mr. P.K. Jani, learned Senior Counsel submitted that the subject land was purchased via registered sale deed dated 01.12.2006 from original owner by Meghvarsha Farms Pvt. Ltd. Thereafter, on 05.07.2008 Meghvarsha Farms Pvt. Ltd. sold the subject land to Rajesh Balwantbhai Bhrambhatt. On 06.03.2009, the predecessor in title, viz. Rajesh Balwantbhai Bhrambhatt was granted permission to convert the subject land for non-agricultural (NA) purposes. This NA permission was recorded via Mutation Entry

No.2251. Subsequently, on 12.03.2021, the predecessor in title, Rajesh Balwantbhai Bhrambhatt, sold the subject land to the present petitioner through a registered sale deed. Accordingly, Mutation Entry No.3372 was recorded in favour of the petitioner and was also certified.

2.1. Mr. P.K. Jani, learned Senior Counsel further submitted that the respondent No.3, Mamlatdar, Sanand, thereafter preferred an appeal after the period of 16 years before the Deputy Collector, challenging Mutation Entry No.2036 in favour of Meghvarsha Farms Pvt. Ltd. By an impugned order dated 22.04.2025, learned Deputy Collector was pleased to uphold the Entry No.1924 in favour of the Meghvarsha Farms Pvt. Ltd. However, at the same time also directed to initiate proceedings under the Tenancy Act. Learned Senior Counsel argues that this direction is bad in law, inasmuch as NA permission for the land was granted on 06.03.2009. Therefore, as per settled law, the provisions of the Gujarat Tenancy and Agricultural Lands Act could not be made applicable to the subject land.

3. Issue **Notice** making it returnable on **10.11.2025**. Mr. J.K. Shah, learned AGP waives service of notice for and on behalf of the respondent No.1.

4. By way of ad-interim relief, the impugned order dated 22.04.2025 in respect of the direction whereby, the inquiry under

Section 63 and 84C has been ordered to be initiated by the respondents and the status quo till the completion of the said inquiry, shall remain stayed till the next date of hearing.

Direct service is permitted qua rest of the respondents.

(VAIBHAVI D. NANAVATI,J)

Pradhyuman

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: PRADHYUMANSINH DILIPSINH RAHEVAR(HC01408), PRIVATE SECRETARY, at High Court of Gujarat on 25/09/2025 12:14:32