

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 21744 of 2022**

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MAHADEVSIKH CHANDANSIKH CHAMPAWAT

Versus

DEPUTY COLLECTOR (J. SU. AND APPEAL), AHMEDABAD

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Appearance:

MR SALIL M THAKORE(5821) for the Petitioner(s) No. 1,2,3
for the Respondent(s) No. 2,3,4,5,6,7

MR J. K. SHAH, ASSISTANT GOVERNMENT PLEADER/PP for the
Respondent(s) No. 1

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CORAM:HONOURABLE MS. JUSTICE SANGEETA K. VISHEN

Date : 20/10/2022

ORAL ORDER

1. Mr Salil M. Thakore, learned advocate, submitted that the present petition, is challenging the very same order dated 22.4.2022 passed by the Deputy Collector which is challenged in Special Civil Application no.15566 of 2022. It is submitted that the suit was filed by Mr Mistry before the civil court which, got dismissed upon application under Order VII Rule 11 of the Code of Civil Procedure, 1908 against which, appeal is pending before this Court, with no stay order. Furthermore, the petitioners had challenged the order passed in the RTS proceedings and this Court, vide order dated 9.10.2017 passed in Special Civil Application no.18590 of 2017, has been kind enough to stay the inquiry into the status of the petitioners being an agriculturist. When this Court, had stayed the inquiry into the status of the petitioners being an agriculturist or not, the Deputy Collector, could not have observed about the status of the petitioners.

2. Considered the submissions. Issue notice, returnable on 13.12.2022. In the meantime, let the order dated 22.4.2022 passed by the Deputy Collector, be stayed till the next date of hearing.
3. Special Civil Application no.21744 of 2022 to be tagged with Special Civil Application no. 15566 of 2022.

RAVI P. PATEL

(SANGEETA K. VISHEN,J)