

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 14835 of 2025**

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FAIZMOHAMMAD MOHAMMADHUSEN SHAIKH & ORS.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MUHAMMADYUSUF M KHARADI(9509) for the Petitioner(s) No. 1,2,3,4,5

MR. ANTARIX KAPADIA for the Respondent(s) No. 1,2

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CORAM:HONOURABLE MR.JUSTICE L. S. PIRZADA

Date : 21/10/2025

ORAL ORDER

1. Learned AGP waives service on behalf of the respondent nos.1 and 2.
2. Heard the learned advocate Mr. Muhammadyusuf M. Kharadi for the petitioner and it is submitted that the present petition has been preferred directed against the order passed by the learned Gujarat Revenue Tribunal (In short "GRT") in stay application preferred in Appeal No. Anand/217 of 2025 by order dated 15.10.2025 and the stay application of the present petitioner has been rejected by the learned GRT and against that, the present petition has been preferred. It is further submitted that initially, for the same survey number, the petitioner has preferred the Special Civil Application No.11855 of 2025 in this Court and by order dated 08.09.2025, the order of the Collector dated 11.04.2025

is already been quashed and set aside and subsequently, the Court has directed the respondent no.2 – Collector to decide the application preferred by the present petitioner dated 14.07.2021 on its own merits in accordance with law considering the G.R. dated 01.04.2015 and addendum G.R. dated 30.06.2018 along with the opinion of the respondent no.3 – Mamlatdar and also directed the Collector to an effective hearing to the petitioner and dealing with all the contentions raised at the time of hearing. Further, he has submitted that so far as the notice under Section 202 of the Gujarat Land Revenue Code, 1879 (For short “GLRC”) was also issued by the Mamlatdar on 02.08.2025, notice was put into abeyance by the order of this Court and it was put into abeyance till the expiry of the appeal period provided under the GLRC i.e. 90 days and as the efficacious remedy was available, the present petitioner has approached the GRT challenging the order of the Mamlatdar for issuing notice under Section 61 of the GLRC and subsequently, GRT has rejected the said application on 15.10.2025 and submitted that the representation of the present petitioner as directed by this Court is already pending before the Collector and he has not taken any decision. So, it is submitted that till then, the implementation of the notice dated 02.08.2025 issued by the Mamlatdar is to be put in abeyance.

3. On the other hand, learned AGP has submitted that as per the instruction, they have received the

communication dated 20.10.2025 from the Mamlatdar, Khambhat and submitted that till the Collector, Aanand will take decision pursuant to the representation made by the present petitioner dated 14.07.2025, the Mamlatdar, Khambhat is not going to take any action pursuant to the notice dated 02.08.2025 under Section 202 of the GLRC.

4. Considering this, the submission made by the learned advocates for respective parties, as per the communication, the Mamlatdar, Khambhat has put in writing that they are not going to take any action pursuant to the notice dated 02.08.2025 under Section 202 of the GLRC till the Collector decide the representation made by the present petitioner dated 14.07.2025.
5. Considering this, at this stage, notice issued by the Mamlatdar dated 02.08.2025 under Section 202 of the GLRC shall put in abeyance till the Collector decide the representation made by the present petitioner dated 14.07.2025.
6. Let the matter be listed on 11.11.2025. Direct Service is permitted.

(L. S. PIRZADA, J)

JCP