

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CIVIL APPLICATION NO. 16188 of 2025

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PAGDIYA MACCHIMAR GROUP-KOTIYA THROUGH ITS AUTHORISED
PERSON VINODBHAI VALJIBHAI MITHAPURA
Versus
STATE OF GUJARAT & ORS.

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Appearance:
MR SAURABH M PATEL(5019) for the Petitioner(s) No. 1
GOVERNMENT PLEADER for the Respondent(s) No. 1,2,3,4

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CORAM:**HONOURABLE MR. JUSTICE BHARGAV D. KARIA**
and
HONOURABLE MR.JUSTICE L. S. PIRZADA

Date : 02/12/2025

ORAL ORDER
(PER : HONOURABLE MR. JUSTICE BHARGAV D. KARIA)

1. Learned advocate Mr. Saurabh M. Patel prays for time to place on record the communication dated 28.04.2025 issued by the Agriculture, Farmers' Welfare and Co-operation Department of the Government of Gujarat, Gandhinagar, explaining the amended Resolution dated 11.09.2019, as well as the letter dated 27.05.2025 of the Head Office, which is referred to in the impugned order dated 29.07.2025.

2. It was further submitted by learned advocate Mr.Patel that the reliance placed on the deleted second paragraph of Sub Clause (4) of Clause 3(b) of the circular dated 25.02.2004 by Government Resolution dated 11.09.2019 would not be applicable to the case of the petitioner, as the reservoir at Kotiya, which was allotted

to the petitioner on lease in 2018 and renewed in 2023, is less than 20 hectares

3. It was submitted that the petitioner is covered by Clause 11 of the said circular, which has not been amended by the Government Resolution dated 11.09.2019, and in view of Clause 11, the respondent authority has rightly renewed the lease for a further period of five years from 2023.

4. Considering the above submissions, issue Notice returnable on 15.12.2025.

5. Direct service through e-mail is permitted.

(BHARGAV D. KARIA, J)

(L. S. PIRZADA, J)

STANCY GOMES

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: STANCY GOMES(HC02364), ENGLISH STENO GRADE-II\, at High Court of Gujarat on 04/12/2025 18:55:28