

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 17635 of 2025****=====**
GOLDIE ASHOKBHAI SHAH**Versus****DISTRICT INSPECTOR OF LAND RECORDS, MAHSANA & ORS.**
=====**Appearance:****MR SUNIL S JOSHI(2925) for the Petitioner(s) No. 1****GOVERNMENT PLEADER for the Respondent(s) No. 1,2,3**
=====**CORAM:HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI****Date : 23/12/2025****ORAL ORDER**

1. Heard Mr. Sunil S. Joshi, learned advocate appearing for the petitioner.
2. Draft Amendment dated 18.12.2025 is allowed and directed to be carried-out forthwith.
3. The petitioner is constrained to approach this Court by filing the present petition, in view of the proceedings undertaken by the respondent no.1 – D.I.L.R. Mehsana, by issuing show cause notice dated 24.11.2025 bearing No. D.S.O./Resurvey/Thol / Kadi/ Objection No. 14877, 12089, 14982, 94408, 9263/2025, whereby, the respondent no.1 herein has

called upon the petitioner herein to remain present before the office of the respondent no.1 on 22.12.2025, for the purpose of giving his consent affidavit affirmed before Notary Public with regard to making correction / rectification of area / shape of the petitioner's land bearing Survey No. 394 situated in Village: Thol allegedly crept-in the Re-survey thereof, which was initiated pursuant to the application dated 30.05.2019 given by the respondent no.5 herein.

4. Mr. Joshi, learned advocate submits that the petitioner herein has purchased the land in question by way of a registered sale deed on 06.08.2020 for land admeasuring Hector-Area-Sq.mtrs. 0-26-76 sq.mtrs. of Survey No. 394 of Village: Thol. Reliance is placed on Page-109 – Annexure-K, wherein, it is stated that, on 27.03.2025, the communication was issued to the erstwhile owner – respondent no.5 herein and the same was also addressed to the petitioner herein. The erstwhile owner remained present, however, the address of the petitioner herein is vague in nature. The erstwhile owner – respondent no.5 remained present, wherein, the area of land stands reduced from 0-26-16 to 0-21-07 Hector-Area-sq.mtrs., wherein, the name of the erstwhile owner is also appearing in the name of the occupier of the land in question alongwith the petitioner herein. It is submitted that, it is not in dispute that the petitioner herein is the owner and occupier of the land in question, since 2021.

5. Submissions made by Mr. Joshi, learned advocate, requires consideration. Issue **Notice** making it returnable on **05.02.2026**. Ms. Devanshiba Rana, learned AGP waives service of notice on behalf of the respondent no.3.

6. In the meantime, in the interest of justice, the issuance of the notice dated 24.11.2025 by the respondent no.1 bearing No. D.S.O./Resurvey/Thol / Kadi/ Objection No. 14877, 12089, 14982, 94408, 9263/2025, wherein, the petitioner is directed to remain present on 22.12.2025 is stayed, qua the petitioner herein, till the next returnable date.

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 23/12/2025 15:05:00