

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 17812 of 2025**

=====

DHIRAJLAL VITTHALDAS BAROT & ORS.**Versus****THE STATE OF GUJARAT & ORS.**

=====

Appearance:**MR MB RANA(2760) for the Petitioner(s) No. 1,2,3,4,5****GOVERNMENT PLEADER for the Respondent(s) No. 1****MS ARCHANA R ACHARYA(2475) for the Respondent(s) No. 2,3**

=====

CORAM:HONOURABLE MRS. JUSTICE MAUNA M. BHATT**Date : 23/12/2025****ORAL ORDER**

1. This petition is filed challenging the notice dated 11.12.2025 issued under provisions of the Land Grabbing Act, 2020 with submission that since the petitioner is a land grabber the encroachment created by him on the gauchar land deserves to be removed.

2. Heard learned advocate Mr. M.B. Rana for the petitioner. Learned advocate submitted that the notice dated 11.12.2025 is without jurisdiction because Sarpanch of Vadgam Gram Panchayat has no authority to issue notice for removal of encroachment under the provisions of Land Grabbing Act, 2020. Any action, pursuant to Land Grabbing Act is to be

initiated by the State Government which is not done in this case. Moreover, the petitioner herein was allottee of land by Gram Panchayat way back in the year 1998. In support, he relied upon the resolution of Gram Panchayat at Annexure – D, Page 21. Thereafter, pursuant to the resolution of Gram Panchayat, an application is made before the Collector seeking allotment of land in favour of the petitioner and the same is pending. Learned advocate submitted that petitioner does not have any document with regard to the application made before the Collector seeking allotment of such land.

3. Considering the submission, issue **Notice** returnable on **17.02.2026**.

4. Learned advocate Ms. Nalanda Acharya for respondent – State submitted that she will be taking instructions in relation to the pendency of application seeking allotment if any before the Collector. Meanwhile, the respondents are directed not to take any coercive action till next date of hearing.

5. Learned advocate Ms. Archana Acharya waives notice for Respondent Nos. 2 and 3.

Direct service is permitted.

(MAUNA M. BHATT,J)

SYED SHAHANAZ/SB-I/4

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: SYED SHAHANAZ(HC02353), ENGLISH STENO GRADE-II, at High Court of Gujarat on 24/12/2025 16:27:04