

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 17871 of 2025**

=====

JAYANTIBHAI @ JAYANTILAL DANABHAI MARU
Versus
STATE OF THE GUJARAT & ORS.

=====

Appearance:

MR VICKY B MEHTA(5422) for the Petitioner(s) No. 1
GOVERNMENT PLEADER for the Respondent(s) No. 1,2,3,4

=====

CORAM:HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI

Date : 05/01/2026

ORAL ORDER

1. Heard Mr. Vicky B. Mehta, learned advocate appearing for the petitioner and Mr. Jayneel Parikh, learned AGP appearing for the respondent authorities.

2. By way of present petition, the petitioner herein has challenged the impugned notice dated 05.12.2025 issued by the respondent No.3 herein under Section 202 of the Gujarat Land Revenue Code, 1879.

3. Mr. Mehta, learned advocate submitted that the order under Section 61 of the Code, 1879 was challenged by filing of appeal being Appeal No.18 of 2025 on 14.09.2025 and in the interregnum period, notice under Section 202 of the Gujarat

Land Revenue Code, 1879 was issued on 05.12.2025. It is submitted that pending such appeal proceedings, it was not open for the respondent authority to issue notice under section 202 of the Code, 1879.

4. The submissions made by Mr. Mehta, learned advocate appearing for the petitioner, prima facie, require consideration.

5. When the matter is taken up for hearing, Mr. Jayneel Parikh, learned AGP, upon instructions, states that final order is passed in Appeal No.18 of 2025 on 01.01.2026.

6. Issue **Notice** making it returnable on **05.02.2026**.

7. In the interest of justice, the impugned notice issued under Section 202 of the Code, 1879, dated 05.12.2025, is directed not to be acted upon, till the next returnable date.

Direct service is permitted.

(VAIBHAVI D. NANAVATI,J)

NEHA