IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 14310 of 2020

With
CIVIL APPLICATION (FOR VACATING INTERIM RELIEF) NO. 1 of 2025
In R/SPECIAL CIVIL APPLICATION NO. 14310 of 2020

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LEGAL HEIRS OF DECD. DEVRAJ HADHA & ORS.

Versus

STATE OF GUJARAT & ORS.

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Appearance:
VIRAL K SHAH(5210) for the Petitioner(s) No. 1,1.1,1.2,1.2.1,1.3,1.4,1.5
DECEASED LITIGANT THROUGH LEGAL HEIRS/ REPRESTENTATIVES for the Respondent(s) No. 6
MR PRATIK P THAKKAR(6097) for the Respondent(s) No. 8.1
MR SATYAM Y CHHAYA(3242) for the Respondent(s) No. 6.1,6.2,6.3
NOTICE NOT RECD BACK for the Respondent(s) No. 10.1,10.2,10.3,10.4,10.5,10.6,11.1,11.3.1,11.4.1,12.1.4,12.3.1,13.1,8.2,8.4,8.5,8.6,9.4
NOTICE SERVED for the Respondent(s) No. 1,12.1.7,2,3,4,5
NOTICE UNSERVED for the Respondent(s) No. 11.2,11.4.2,12.1.1,12.1.2,12.1.3,12.1.5,12.1.6,12.1.8,12.2.1,12.2.2,12.2.3,12.2.4,12.4,13.2.1,9.4.1
TANAYA G SHAH(8430) for the Respondent(s) No. 7,8.3,9.1.1,9.1.2,9.2,9.3,9.3.1
MR JAY TRIVEDI FOR THE RESPONDENTS

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CORAM:**HONOURABLE MR. JUSTICE NIRAL R. MEHTA**

Date : 23/10/2026

ORAL ORDER

Heard the learned advocates for the respective parties.

1. The dispute is between family members. It is submitted that the parties have amicably settled the dispute. An affidavit confirming the settlement has also been filed on record.

2. The following undisputed facts emerge from the record:

(i) The lands bearing Revenue Survey Nos. 127, 125 and 107 (now New Survey No. 210), situated at Village Jogvad, Taluka Lalpur, District Jamnagar, originally stood in the name of Devraj Hada.

(ii) Entry No. 9, dated 05.09.1955, recording the name of Hada Mura, predecessor of Petitioner No. 1, was duly certified. This entry was not challenged for more than five decades.

(iii) Thereafter, Entry No. 1207, recording the names of Ramesh Keshav Raj and Kantaben Kailash, predecessors of the petitioners, was certified on 03.04.2008. This entry also remained unchallenged for a considerable period.

(iv) In 2013, Respondent Nos. 6 and 7 challenged Entry No. 1207 before the Deputy Collector, Lalpur. The appeal was rejected on 18.03.2013 on the ground of delay.

(v) Respondent Nos. 6 and 7 challenged the said order before the District Collector in Revision Application No. 110 of 2012-2013. By order dated 04.09.2015, the District Collector remanded the matter to the Deputy Collector.

(vi) After remand, the Deputy Collector again rejected the appeal on 28.04.2016. Respondent Nos. 6 and 7 challenged that order before the District Collector in Revision Application No. 19 of 2016-2017. By order dated 14.02.2017, the District Collector again remanded the matter.

(vii) After the second remand, the Deputy Collector rejected the appeal by order dated 22.03.2018 in Remand Appeal No. 51 of 2016-2017. While passing the said order, the Deputy Collector observed that the parties would abide by the final decision of the civil court in Special Civil Suit No. 56 of 2016, subsequently renumbered as Special Civil Suit No. 27 of 2017.

(viii) Meanwhile, Respondent Nos. 6 and 7 had filed the aforesaid civil suit for partition. They thereafter challenged the Deputy Collector's order dated 22.03.2018 before the District Collector in Revision Application No. 16 of 2018-2019. The District Collector rejected the revision by order dated 28.06.2019.

(ix) Respondent Nos. 6 and 7 thereafter approached the Special Secretary, Revenue Department (SSRD), by filing Revision Application No. HKP/JMN/28 of 2019. By order dated 29.08.2020, the SSRD allowed the revision in respect of Survey No. 125, as Survey No.

107 had already been sold.

(x) The aforesaid order dated 29.08.2020 is under challenge in the present petition. The operation of the impugned order remained stayed during the pendency of the petition.

3. During the pendency of this petition, Respondent Nos. 6 and 7 filed an affidavit dated 06.10.2024 stating that the parties had amicably settled their dispute. It is also stated that Special Civil Suit No. 56 of 2016, subsequently renumbered as Special Civil Suit No. 27 of 2017, has been unconditionally withdrawn.

4. Respondent Nos. 6 and 7 have further stated on oath that they have no objection if the impugned order dated 29.08.2020 passed by the SSRD is quashed and set aside with the consent of the parties.

5. In view of the settlement between the parties, the unconditional withdrawal of the civil suit, and the affidavits placed on record, no useful purpose would be served by examining the merits of the dispute in detail. The learned advocates for the parties have also confirmed that there is no dispute regarding the aforesaid facts.

6. In view of the above, and considering the peculiar facts and circumstances of the case, the petition deserves to be allowed on the basis of the settlement between the parties.

7. Accordingly, the present petition is allowed. The impugned order dated 29.08.2020 passed by the SSRD in Revision Application No. HKP/JMN/28 of 2019 is hereby quashed and set aside.

Rule is made absolute accordingly. There shall be no order as to costs.

(NIRAL R. MEHTA,J)

V.J. SATWARA

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: VIPUL JASWANTBHAI SATWARA(HC00170), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 30/10/2026 12:07:22