IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 10623 of 2026

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RABARI KHODABHAI GAMAANBHAI & ORS.

Versus

STATE OF GUJARAT & ANR.

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Appearance:
MR TIRTH H SHAH(13975) for the Petitioner(s) No. 1,2,3
MR. NISHIT P GANDHI(6946) for the Petitioner(s) No. 1,2,3
MS. FORAM TRIVEDI, AGP for the Respondent(s) No. 1,2

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CORAM:**HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI**

Date : 28/10/2026

ORAL ORDER

1. Challenge before this Court is against order dated 22.05.2026 passed by the District Collector, Vav-Tharad in rejecting the application of the petitioner under Section 65 of the Gujarat Land Revenue Code.

2. During the pendency of the petition, Government has issued a Circular dated 07.10.2026, wherein, the authorities concerned are directed to decide the N.A. use application by keeping in mind the decisions of this Court.

3. In view of the said development, at this stage, in the interest of justice, if the petitioners are asked to file a fresh

application for consideration afresh, ends of justice will be met.

4. Accordingly, the present petition is ***disposed of*** without going the merits of the case, with a direction to the petitioners to approach the authority concerned by way of a fresh application.

5. If any such application is filed alongwith the judgment rendered by this Court in Special Civil Application No.1666 of 2014 decided on 09.09.2019, as confirmed in Letters Patent Appeal No.190 of 2022 vide judgment dated 25.11.2024 to bring to the notice of the settled legal position to the respondent Collector, the authority shall decide the same keeping in mind the settled proposition of law as well as the Circular dated 07.10.2026, within the statutory time limit and in accordance with law, without being influenced by the earlier order.

6. Needless to clarify that if, in any event, the application deserves rejection, the concerned Collectorate shall ensure that reasons so assigned shall not be in contradiction to the decisions of this Court.

(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 02/11/2026 17:55:26