

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 13169 of 2024**

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NIKITA NIRAV MASRANI

Versus

D. H. BHALARA OR HER SUCCESSOR IN OFFICE, DEPUTY COLLECTOR
AND SUB DIVISIONAL MAGISTRATE SAVARKUNDLA & ANR.

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Appearance:

MR YN RAVANI(718) for the Petitioner(s) No. 1

ADVANCE COPY SERVED TO GOVERNMENT PLEADER/PP for the

Respondent(s) No. 2

NOTICE SERVED BY DS for the Respondent(s) No. 1,2

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CORAM: **HONOURABLE MR. JUSTICE HEMANT M. PRACHCHHAK****Date : 23/04/2026****ORAL ORDER**

1. Present petition is filed by the petitioner under Article 226 of the Constitution of India and under the provisions of the Gujarat Prohibition of Transfer of Immovable Property and provisions for Protection of Tenant from Eviction from Premises in Disturbed Areas Act, 1991 seeking the following reliefs:-

(A) *YOUR LORDSHIPS may be pleased to issue a writ of certiorari and/or writ in the nature of certiorari and/or any other appropriate writ, order or direction quashing and setting aside the order dated 08.08.2024 passed by respondent No.1 - Deputy Collector deciding to 'file' the application of the petitioner seeking permission to transfer/sale of shop No.9 owned by the petitioner on a ground not germane to the Disturbed Areas Act, 1991 and be further to direct the respondent authority to grant permission to the petitioner to transfer and/or sell of the said property of the petitioner.*

(B) *Pending admission, hearing and/or final disposal of this petition,*

YOUR LORDSHIPS may be pleased to stay the further execution, implementation and operation of the order dated 08.08.2024 passed by the respondent No.1 - Deputy Collector to 'file' the application of the petitioner and be further pleased to direct the authority to process the application.

(C) *YOUR LORDSHIPS be pleased to grant such other and further reliefs, in favour of the petitioner, as deemed fit, in the interest of justice.*

2. Learned counsel for the petitioner submits that the prayer with regard to permission to sell the property in consonance with the provisions of the Disturbed Areas Act is concerned, now the permission is granted and the petitioner has sold the property and, therefore, the petition has become infructuous.

3. In view of the above, the petition stands disposed of as having become infructuous. Notice is discharged.

(HEMANT M. PRACHCHAK,J)

V.R. PANCHAL

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: VIJAYKUMAR RAMESHBHAI PANCHAL(HC00171), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 24/04/2026 17:08:02