

vest again the 231 Acres of Gauchar land of Survey No. 224 and 225 paiki of village Navinal in Navinal Gram Panchayat as gauchar land or provide sufficient and alternative land for Gauchar in view of 18th Animal Survey of the State of Gujarat carried out in the year 2007-08;

- c) To direct the Respondent State of Gujarat, Department of Revenue and Respondent Collector, District Kutch, in particular, to allocate and vest with the Navinal Gram Panchayat adequate land for grazing keeping in mind the 18th Animal Survey of the State of Gujarat carried out in the year 2007-08;
- d) To direct the Respondents and Respondent No. 7 and 8, in particular, not to carry out any developmental activities or any activities that, changes the landscape, topography or geography, including filling up of Kotari creek, dredging and removal of mangrove forests and other trees within the land and the area of Mundra Port and Special Economic Zone till Environmental Clearance and CRZ is granted by Respondent, Ministry of Environment and Forests, Union of India;
- e) During pendency and/or final disposal of the present petition be pleased to direct the Respondents and Respondent No. 7 and 8, in particular, not to carry out any developmental activities or any activities that changes the landscape, topography or geography, including filling up of Kotari creek, dredging and removal of mangrove forests and other trees within the land and the area of Mundra Port and Special Economic Zone till Environmental Clearance and CRZ is granted by Respondent, Ministry of Environment and Forests, Union of India;
- f) To award the costs of this petition;

3) The said petition was initially disposed of on 24.09.2014 with directions to carry out the

demarcation of land for *Gauchar purpose* within the specified time by the respective panchayats. On filing an application seeking recall by the State of Gujarat, the same was allowed and the writ petition (PIL) was restored.

4) In the meantime, as contended the order of resumption was passed on 04.07.2024, resuming total area of He. 108-22-35 Are. Sq.mtr. from the Appellant in pursuance of some oral directions of the High Court in the said proceedings. In the impugned order, the High Court has directed to carry out the process of resumption as per order dated 04.07.2024 passed by the State without affording an opportunity of hearing to the appellant. The High Court has not adjudicated the claim as made on merit with respect to the reliefs prayed in the Public Interest Litigation and has also not afforded due opportunity to the Appellant, while passing the order impugned.

5) After perusal, it appears that as per order of the proceedings in this appeal it was noted that the Appellant was not heard by the State Government

while passing the order of resumption and also in the High Court while issuing the directions vide order impugned, however, interim order was passed by this Court.

6) The present appeal is pending since more than one-and-a-half years having stay to the order impugned. In the said sequel of facts, we deem it appropriate to observe that the order dated 04.07.2024 passed by the State which is in violation of the principles of natural justice is liable to be quashed with liberty to pass afresh order.

7) It is needless to say that the parties shall exchange their objection/pleadings within six weeks. The State Government is directed to afford an opportunity to the parties and decide the issue of resumption as expeditiously as possible afresh. In this view, the Writ Petition (PIL) No. 17 of 2011 shall be treated as disposed of, however, on passing the order afresh by the State Government, the parties are at liberty to take recourse as permissible under the law. All the contentions are left open to the parties, which may be raised before

the State Government or before the Court in appropriate proceedings.

8) In view of the above, the civil appeal is disposed of. Pending application(s) shall stand disposed of.

....., J.
[J.K. MAHESHWARI]

....., J.
[ATUL S. CHANDURKAR]

New Delhi;
January 27, 2026.

ITEM NO.44

COURT NO.2

SECTION III-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No. 14440/2024
[Arising out of impugned final judgment and order dated 05-07-2024
in WPIL No. 17/2011 passed by the High Court of Gujarat at
Ahmedabad]

ADANI PROTS AND SPECIAL ECONOMIC ZONE LTD. Petitioner(s)
VERSUS

STATE OF GUJARAT & ORS. Respondent(s)
(IA No. 145214/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No. 145215/2024 - EXEMPTION FROM FILING O.T.)

Date : 27-01-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE J.K. MAHESHWARI
HON'BLE MR. JUSTICE ATUL S. CHANDURKAR

For Petitioner(s) : Mr. Mukul Rohatgi, Sr. Adv.
Mr. Mahesh Agarwal, Adv.
Mr. M.s. Ananth, Adv.
Mr. Arshit Anand, Adv.
Ms. Nidhi Sri, Adv.
Mr. E. C. Agrawala, AOR

For Respondent(s) : Mr. Tushar Mehta, Solicitor General
Ms. Deepanwita Priyanka, AOR
Ms. Priyal Sheth, Adv.

Mr. Vikramjeet Banerjee, A.S.G.
Mr. Gurmeet Singh Makker, AOR
Ms. Priyanka Das, Adv.
Mr. Balendu Shekhar, Adv.
Mr. Shubhendu Anand, Adv.
Mr. Rohan Gupta, Adv.

Mr. Abhimanue Shrestha, AOR

UPON hearing the counsel the Court made the following
O R D E R

- 1) Leave granted.
- 2) The civil appeal is disposed of in terms of the signed order. Pending application(s) shall stand disposed of.

(NIDHI AHUJA)
DEPUTY REGISTRAR

(NAND KISHOR)
ASSISTANT REGISTRAR

[Signed order is placed on the file.]