

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/FIRST APPEAL NO. 2512 of 2025**

With
CIVIL APPLICATION (FOR WITHDRAWAL/DISBURSEMENT OF AMOUNT)
NO. 1 of 2026
In R/FIRST APPEAL NO. 2512 of 2025

FOR APPROVAL AND SIGNATURE:**HONOURABLE MR.JUSTICE MOOL CHAND TYAGI**

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Approved for Reporting	Yes	No

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EXECUTIVE ENGINEER, BUILDING AND ROAD DEPARTMENT
(PANCHAYAT)

Versus

HIMMATBHAI GOGANBHAI SAVALIYA & ORS.

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Appearance:

KAASH K THAKKAR(7332) for the Appellant(s) No. 1
MS DHARITRI PANCHOLI, AGP for the Defendant(s) No. 2,3
MR KRUSHNAKANT D PATEL(10632) for the Defendant(s) No. 1
MR TEJAS P SATTA(3149) for the Defendant(s) No. 1

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CORAM:HONOURABLE MR.JUSTICE MOOL CHAND TYAGI**Date : 07/09/2026****JUDGMENT**

1. In the first appeal, the amount of compensation involved is below Rs.5,00,000/-.

2. Mr. Tejas P. Satta, learned counsel appearing on behalf of respondent no.1/original claimant/s submitted that the



present appeal may not deserve to be heard on merits as the amount of compensation awarded by the learned Reference Court is less than Rs.5,00,000/-. He submitted that the State Government has framed the policy and issued the GR to withdraw all such appeals before the Lok Adalat wherein the amount of compensation is less than Rs.5,00,000/-. He submitted that after filing of the appeal, the Lok Adalat was held on many occasions but despite this fact, this appeal was not withdrawn. He further submitted that the appeal may not be kept pending for indefinite period at the whims and fancy of the appellant/State Government.

3. Ms. Dharitri Pancholi, learned AGP has not disputed the fact that the State Government has issued the GR on 25.10.2016, whereby it has been directed to withdraw the appeal involving amount less than Rs.5,00,000/- in Lok Adalat.

4. It is pertinent to note that the State Government vide its GR dated 25.10.2016 through its Revenue Department, has resolved that claims upto Rs.5,00,000/- are to be considered as petty claims and the matters involving amount upto Rs.5,00,000/- be disposed of accordingly.

5. In the aforementioned GR, the State Government took the policy decision that matters arising under the Land Acquisition Act having involvement of stake of less than Rs.5,00,000/- has to be withdrawn in Lok Adalat. In view of such state litigation policy, if a matter, which is supposed to be withdrawn in Lok Adalat, cannot wait for disposal in forthcoming Lok Adalat. Therefore, this matter needs to be



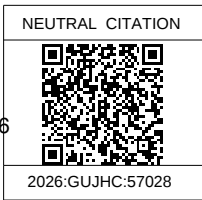
disposed of during regular hearing.

6. Having considered the submissions of the learned counsels for the respective parties, this Court is of the view that in the captioned appeal, the amount of compensation as awarded by the learned Reference Court is on lower side i.e. less than Rs.5,00,000/- and therefore, considering the smallness of the awarded amount involved in the present appeal and having regard to the State policy, this Court is not inclined to entertain the present appeal and therefore, present appeal stands dismissed on account of smallness of amount. Consequently, CA, if any, does not survive and stands disposed of accordingly.

7. However, it is clarified that dismissal of present appeal shall not be construed that the Court has decided any legal issue involved in the subject matter of present appeal and therefore, the decision of present appeal shall not be treated as precedent for deciding any legal issue or issue of compensation in any other matter arising out of the same notification.

8. Registry is directed to return back the R & P, if any, to the concerned Court forthwith.

9. The learned Reference Court is directed to disburse the amount of compensation deposited by the appellant after deducting Court fee to the claimant/s after due verification and identification along with interest and after verifying their



right to claim the compensation.

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(MOOL CHAND TYAGI, J)