

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 5510 of 2026**

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PRAVIN KARSHAN KOLI
Versus
STATE OF GUJARAT & ORS.

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Appearance:

MR JAY N SHAH(10668) for the Petitioner(s) No. 1
MR HENIL SHAH ASSISTANT GOVERNMENT PLEADER for the
Respondent(s) No. 1,2,3,4,5

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI**Date : 17/07/2026****ORDER**

1.Rule. Learned Assistant Government Pleader
waives service of notice of Rule on behalf of
respondent-State.

2.The present Special Civil Application is filed
praying for the following reliefs:

“(A) This Hon’ble Court may be pleased to
admit and allow this petition;

(B) This Hon’ble Court may be pleased to
issue appropriate writ, order or
direction, directing the respondents to
produce the records before this Hon’ble
Court leading them to take action of
closing the online royalty account of the
vehicle bearing Dumper No.GJ-12-BW-6441 as

well as putting the status of the vehicle in question as blacklisted on 'Vahan Portal';

(C) This Hon'ble Court may be pleased to quash and set aside the action of the respondents in closing down the online royalty account of the vehicle bearing Dumper No.GJ-12-BW-6441 of the ownership of the petitioner;

(D) This Hon'ble Court may be pleased to issue appropriate writ, order or direction to quash and set aside the action of the respondent no.5-RTO of showing the status of the vehicle bearing Dumper No.GJ-12-BW-6441 as blacklisted from 'Vahan Portal', which is at Annexure-A.

(E) Pending admission final hearing and disposal of this petition, direct the respondent nos.2 to 5 to open the online account of vehicle bearing Dumper No.GJ-12-BW-6441 and remove the status of the vehicle as blacklisted from 'Vahan Portal' which is at Annexure-A.

(F) Grant such other and further relief as thought fit in the interest of justice."

3. It is submitted by the learned counsel for the petitioner that the vehicle of the petitioner has been blacklisted as it is showing from the status of the vehicle from 'Vahan Portal'. He submits that the respondents have also locked/closed down the online royalty account of the petitioner without giving any hearing and

without following any due process of law. Learned counsel submits that the action of the respondents is in violation of the principle of natural justice and contrary to Rule 5(4) of the Gujarat Minerals (Prevention of Illegal Mining, Transportation and Storage) Rules, 2017 ('the Rules 2017' for short).

4. Learned Assistant Government Pleader, upon instructions of Mr. Keyur Pandya, Geologist, Kachchh (East), submits that appropriate show cause notice shall be issued to the petitioner and the petitioner shall be given an effective hearing before passing a reasoned order on merits.

5. Heard the learned counsel appearing for the parties. In the facts of the present case and considering the provisions of Rule 5(4) of the Rules 2017, the impugned action of the respondents of blacklisting the vehicle of the petitioner and locking the ATR account of the petitioner without issuance of any show cause

notice and without following any due procedure as laid down in Rule 5(4) of the Rules 2017 is bad in law. The impugned action of the respondent authorities is accordingly quashed and set aside. The respondents are directed to remove the endorsement of the vehicle of the petitioner, i.e. Dumper bearing registration No. GJ-12-BW-6441, as blacklisted on the 'Vahan Portal' and are also directed to unlock/ reopen the online royalty account of the vehicle in question forthwith.

6. It is further clarified that the respondent authorities shall be at liberty to initiate appropriate proceedings in accordance with law in respect of any violation by the concerned vehicle after issuance of the show cause notice, after following due process of law and after giving due hearing to the petitioner in terms of the provisions of Rule 5(4) of the Rules 2017.

7. With the aforesaid observations, the present Special Civil Application stands ALLOWED to the

aforesaid extent. Rule is made absolute. No
order as to costs. Direct Service is permitted.

(NIRZAR S. DESAI,J)

Pallavi