

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 1876 of 2026

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PATEL BABUBHAI ASHABHAI & ORS.

Versus

THE STATE OF GUJARAT & ORS.

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Appearance:

MR PM BHATT(183) for the Petitioner(s) No. 1,2,3

MS POOJA CHOUDHARY ASST. GOVERNMENT PLEADER for the
Respondent(s) No. 1,2

MR NANDISH Y CHUDGAR(2011) for the Respondent(s) No. 3

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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL

Date : 16/07/2026

ORAL ORDER

1. Heard learned advocate Mr.P.M.Bhatt for the petitioners, learned AGP Ms.Pooja Choudhary for respondent Nos.1 and 2 and learned advocate Mr. Nandish Chudgar for respondent No.3.

2. It appears that the present petition has been preferred *inter alia* with a prayer that the respondent authorities be directed to hand over vacant and peaceful possession of Final Plot No.19/2 + 19/3 of Town Planning Scheme No.301 (Bhadaj-Shilaj-Hebtpur) to the petitioners. The context of the prayer being that the petitioners were owners of the land bearing

Survey No.328D Paiki and 324 situated at Village :Bhadaj and whereas, the said lands had been converted into land bearing Final Plot No.23 which were marked as F.P.No.23 in T.P.Scheme No.301 (Bhadaj-Shilaj-Hebtpur). It appears that one Ashwinkumar Rasikbhai Patel who was allotted F.P.No.23, being the original owner of the land which was earmarked as F.P.No.19/2 and 19/3, had preferred a writ petition before this Court being Special Civil Application No.1627 of 2026 and whereas, it is the submission of learned advocate Mr. Chudgar appearing on behalf of the respondent – Corporation that because of pendency of the said petition, the Corporation was not taking appropriate steps to allot the Final Plot No.19/2 + 19/3 to the petitioners. Learned advocate would also draw the attention of this Court to the fact that vide order of even date the said petitioner of Special Civil Application No.1627 of 2026 has withdrawn his petition unconditionally.

3. Considering such a position, since the reasons for not handing over the peaceful and vacant possession of F.P.No.19/2 +19/3, now no more in existence, to this Court it would appear that there would not be any hindrance for the Corporation to hand over the possession of the property to the petitioners. Learned advocate Mr. Chudgar, concurred such an observation.

4. Having regard to such a position, to this Court it would appear that nothing further is required to be done by this court except to direct the Corporation to ensure that the petitioners are handed over the peaceful and vacant possession of F.P.No.19/2 +19/3 situated at of Town Planning Scheme No.301 (Bhadaj-Shilaj-Hebtpur) as expeditiously as possible within an outer limit of 60 days.

5. With this observations, the petition stands disposed of as partly allowed.

(NIKHIL S. KARIEL,J)

NAIR SMITA V./40-DB

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: SMITA VINU NAIR(HC00186), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 18/07/2026 10:54:45