

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/LETTERS PATENT APPEAL NO. 480 of 2022
In
R/SPECIAL CIVIL APPLICATION NO. 10549 of 2021**

**With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2025
In
R/LETTERS PATENT APPEAL NO. 480 of 2022
With
CIVIL APPLICATION (FOR AMENDMENT) NO. 2 of
2022
In
R/LETTERS PATENT APPEAL NO. 480 of 2022**

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**AAGAM GREEN VILLE CO-OPERATIVE HOUSING SOCIETY
LTD.**

**Versus
UNION OF INDIA & ORS.**

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Appearance:

**MR SAURABH SOPARKAR, SENIOR ADVOCATE with MS
ARCHANA R ACHARYA(2475) for the Appellant(s) No. 1
KSHITIJ M AMIN(7572) for the Respondent(s) No. 1
MR AKSHAT KHARE for MOSON LE EXPARTS(11071) for the
Respondent(s) No. 2
MR DHAVAL G NANAVATI(2578) for the Respondent(s) No. 3
MR. VISHRUT R JANI(6696) for the Respondent(s) No. 4**

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**CORAM:HONOURABLE THE CHIEF JUSTICE MRS.
JUSTICE SUNITA AGARWAL
and
HONOURABLE MR.JUSTICE D.N.RAY**

Date : 08/12/2025

**ORAL ORDER
(PER : HONOURABLE THE CHIEF JUSTICE MRS.
JUSTICE SUNITA AGARWAL)**

CIVIL APPLICATION (FOR AMENDMENT) NO. 2 of 2022

1. Having heard learned Counsel for the parties and perused the record, we are of the considered view that the Town Planning Officer is a necessary and proper party for adjudication of the present Appeal wherein the dispute is being raised by the appellant with regard to allotment of plots under the Town Planning Scheme, namely T.P. Scheme No. 76 of Dumas (Dumas-Vanta-Gavier). Civil Application No. 2 of 2022 for impleadment of Town Planning Officer concerned, is hereby allowed.

2. On the oral request made by learned Counsel for the appellant, Collector, Surat is also permitted to be impleaded as respondent No.6.

3. Let necessary incorporation be made in the array of parties within a period of 48 hours. Notice on behalf of the newly impleaded respondent Nos.5 and 6 be served in the office the learned Government Pleader.

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4. Mr. Akshat Khare, learned advocate has put in appearance on behalf of ONGC - respondent No.2 and Mr. Dhaval G. Nanavati, learned advocate has put in appearance on behalf of respondent No.3.

5. There is no response to the application seeking interim protection staying the notice dated 01.10.2025 issued by respondent No.2 - ONGC though copy of the said application has been served upon the learned advocate appearing for ONGC in the month of October, 2025 itself.

6. Till the next date of listing, the effect of operation of the notice dated 01.10.2025 issued by ONGC is hereby stayed.

7. Mr. Akshat Khare, learned advocate appearing for ONGC prays for and is granted time to file additional affidavit on behalf of ONGC - respondent No.2 to bring on record the possession memo, if any, to establish the transfer of possession to ONGC of the acquired area of 7892 sq meters, out of the three plots, namely Survey No.806 paiki, 807 paiki and 828 paiki, the plots in dispute.

8. The learned Assistant Government Pleader appearing for the State - respondent is also directed to get instructions from the office of the Collector, Surat about the preparation of panchnama, if any, for transfer of possession of the acquired land to the ONGC.

9. As prayed, put up this matter on 06.01.2026.

(SUNITA AGARWAL, CJ.)

(D.N.RAY, J.)

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