

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 4830 of 2024
With
CIVIL APPLICATION (FOR CLARIFICATION) NO. 1 of 2025
In R/SPECIAL CIVIL APPLICATION NO. 4830 of 2024

=====

KAVYA ADS

Versus

AHMEDABAD MUNICIPAL CORPORATION & ANR.

=====

Appearance:

MR.D K.PUJ(3836) for the Petitioner(s) No. 1

MS NIYATI K SHAH(2935) for the Petitioner(s) No. 1

MR ANUJ K TRIVEDI(6251) for the Respondent(s) No. 1

NOTICE SERVED for the Respondent(s) No. 2

=====

CORAM: HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 10/04/2026

COMMON ORAL ORDER

1. By way of Civil Application (For Clarification) No. 1 of 2025 preferred by Ahmedabad Municipal Corporation - the original respondent No.1 has prayed for following reliefs:-

“(A) Your Lordships may be pleased to pass necessary and appropriate orders or directions and thereby, hold, direct or clarify that the order of “no coercive action” passed by this Hon’ble Court in orders dated 1st April, 2024, (at Annexure-I) in the captioned petition is restricted and confined only to the impugned Ahmedabad Outdoor Advertisement Policy, 2023, and the same would not amount in restraining the Applicant Corporation from recovering the dues owed by the Opponent No. 1 to it, or to undertake any action pursuant to any other breaches by the Opponent No.1 and that the

Opponent No.1 would not claim any privilege or benefit for not paying the amounts owed by it to the Applicant Corporation or from committing any other breaches, on the ground of “no coercive action” directed by this Hon’ble Court in the captioned petition.

(B) Your Lordships may grant any other and further relief/s as may be deemed just and proper in the interest of justice.”

2. Though, the aforesaid prayer does not give any idea about the clarification is sought, in respect of which order passed by the Court, the aforesaid situation was taken care of by the Coordinate Bench vide order dated 14.08.2025, wherein it was stated that this application seeks clarification of the order dated 26.03.2024 which was passed by this Court. The order dated 26.03.2024 reads thus :-

“In view of the fact that in similar petition being Special Civil Application No.4264 of 2024 wherein new Advertising Policy is challenged by the respective petitioners and this Court vide order dated 21.3.2024 has kept the matter on 3.4.2024 and in the meantime, directed the respondents not to take any coercive action and considering the fact that it is not in dispute that present petition is identical one where same new Advertising Policy is challenged, the present petition stands adjourned to 3.4.2024. In the meantime, there

shall not be any coercive action qua the petitioners.”

3. Learned Advocate Mr. Anuj Trivedi drew attention of this Court to the similar situation when arose before Co-ordinate Bench and the Co-ordinate Bench of this Court vide order dated 15.07.2025 in Special Civil Application No. 9531 of 2025 after elaborately discussing the submissions of learned counsels clarified in paragraph No.8 in similar situation that the order of no coercive action shall not restrict the respondents from collection of license fees from the petitioners. Learned Advocate Mr. Trivedi submitted that this Court may also clarify the order dated 01.04.2024 in the line of the order relied upon by learned Advocate General in Special Civil Application No. 9531 of 2025 in case of Ellis Advertising and others Versus Ahmedabad Municipal Corporation and another dated

4. Learned advocate for the respondent in Civil Application original petitioner submitted that if the Court clarifies the order dated 01.04.2024 in the similar line, he does not have any objection and in that case, they would take necessary steps in compliance of the aforesaid order.

4.1 It was also clarified by learned advocate for the original petitioners that now entire license fees is paid.

5. Considering the above, consensus have arrived at

between learned advocates appearing for the parties, though the order dated 01.04.2024 would remain, subject to any further orders that may be passed in the petition. However, it is clarified that the aforesaid order was passed whereby there was no intention of the Court to restrict the respondents from collecting license fees from the petitioners.

6. With the aforesaid clarification, Civil Application (For Clarification) No. 1 of 2025 stands ***disposed of***. No order as to costs.

UMESH/-

(NIRZAR S. DESAI,J)