

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 4668 of 2025**

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VITRAG CO-OPERATIVE HOUSING SOCIETY LIMITED & ANR.**Versus****STATE OF GUJARAT & ORS.**

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Appearance:**MR. JIT P PATEL(6994) for the Petitioner(s) No. 1,2****GOVERNMENT PLEADER for the Respondent(s) No. 1****MR DEEP D VYAS(3869) for the Respondent(s) No. 2**

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CORAM:HONOURABLE MRS. JUSTICE MAUNA M. BHATT**Date : 15/04/2025****ORAL ORDER**

1. Heard learned advocate Mr. Yatin Oza assisted by learned advocate Mr.Jit Patel for the petitioners.

2. The issue involved in this petition is in relation to redevelopment of the petitioner society. It is case of the petitioner that requirement of Section 41A of the Gujarat Ownership of Flats Act, 1973 of construction of more than 25 years and having consent of more than 75% members have been fulfilled, despite that, the private respondents have raised their objections without there being any basis.

3. Learned senior advocate Mr.Oza further submitted that it is apprehension of the petitioner society that the private respondent No.4 to 35 may create 3rd party right.

4. Considering the submissions, issue **Notice** returnable on **10.06.2025**.

5. No 3rd party right shall be created till the next date of hearing.

(MAUNA M. BHATT,J)

NAIR SMITA V./03-SB-I