

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CIVIL APPLICATION NO. 6111 of 2026

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BHAVESH JIVRAJ SOLANKI

Versus

PASCHIM GUAJRAT VIJ COMPANY LTD. (G.U.V.N.L.)

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Appearance:

MR G RAMAKRISHNAN(1390) for the Petitioner(s) No. 1

MR. D. G. RAMAKRISHNAN(14142) for the Petitioner(s) No. 1

MR S. D. MOTWANI ADVOCATE with

MR DIPAK R DAVE(1232) for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE DEVAN M. DESAI

Date : 05/05/2026

ORAL ORDER

1. Heard learned advocate Mr. G Ramakrishnan for the petitioner and learned advocate Mr. S. D. Motwani for the respondent.

2. When the matter was taken up for hearing, learned advocate for the petitioner has placed on record additional affidavit dated 30.04.2026 and placed reliance upon it. It is the contention of the learned advocate for the petitioner that the property in question is a residential property and the respondent has already taken possession of the property in question. The personal belongings are lying in the property,

which the petitioner may be permitted to remove without claiming any equity.

3. It is submitted petitioner has filed SLP before the Hon'ble Supreme Court vide Diary No. 25987 of 2026 on 20.04.2026. It is submitted that there is no ill intention on the part of petitioner for entering into the property in question and to play equity pending the aforesaid SLP.

4. On the other hand, learned advocate for the respondent, submits that the possession of the property in question is already with respondent pursuant to the order passed by the learned Executing Court in Regular Civil Execution Petition No. 40 of 2008 dated 11.03.2026. Except above, no other submissions are made by learned advocate for the petitioner.

5. Having considered the submissions, petitioner is permitted to enter into the property in question in presence of the officer of respondent and is permitted to take personal belongings from the property in question on or before 19.05.2026.

6. The petitioner shall also make appropriate application to respondent herein permitting him to remove personal articles/ belongings from the property in question. Upon such application being given, the respondent shall consider the same on a humanitarian ground and shall permit the petitioner to remove personal articles/ belongings from the suit property without any objection and obstructions.

7. With this, the present petition stands disposed of accordingly.

8. Direct service Today is permitted, as prayed for.

(D. M. DESAI,J)

SHIVANI SHUKLA