

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**

**R/LETTERS PATENT APPEAL NO. 2619 of 2017**  
**In**  
**R/SPECIAL CIVIL APPLICATION NO. 21738 of 2017**  
**With**  
**CIVIL APPLICATION (FOR STAY) NO. 1 of 2017**  
**In**  
**R/LETTERS PATENT APPEAL NO. 2619 of 2017**

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**GUJARAT STATE PETRONET LIMITED**

**Versus**

**GAIL INDIA LIMITED & 3 other(s)**

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Appearance:

MR ASPI M KAPADIA(1865) for the Appellant(s) No. 1  
MR AKSHAT KHARE(5912) for the Respondent(s) No. 2  
MR DEVANG VYAS(2794) for the Respondent(s) No. 4  
MR RITURAJ M MEENA(3224) for the Respondent(s) No. 3  
MR VISHWAS K SHAH(5364) for the Respondent(s) No. 1  
MRS SUMAN KHARE(2226) for the Respondent(s) No. 2

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**CORAM: HONOURABLE DR. JUSTICE VINEET KOTHARI**  
**and**  
**HONOURABLE MS. JUSTICE GITA GOPI**

**Date : 01/02/2021**

**ORAL ORDER**

**(PER : HONOURABLE DR. JUSTICE VINEET KOTHARI)**

1. After hearing learned counsel for some time, the crux of the matter seems to be whether the connecting 8” dia pipeline by Tap off from the existing GAIL's DUPL 30” dia natural gas pipeline to M/s. OPAL across GIDC/SEZ area amounts to development of infrastructure facilities inside the Dahej SEZ area and would, therefore, require a prior approval from the Board of Approval under Section 9 of the Special Economic Zones Act, 2005 or the

Approval Committee under Section 14 of the said Act could grant such approval as it has been done in the present case vide 76<sup>th</sup> Meeting of the said Approval Committee dated 11.10.2017 (Annexure-D, page 27 of the Paper Book) and therefore, whether the learned Single Judge was right in dismissing the writ petition filed by the Petitioner M/s. Gujarat State Petronet Limited or not.

2. Learned counsel for the Appellant – Petitioner prays for a short accommodation to prepare the case a bit more.
3. List again on **10.2.2021**.
4. No further adjournment shall be granted on that day.

**(DR. VINEET KOTHARI,J)**

**(GITA GOPI,J)**

Bharat