

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 9986 of 2025****With****CIVIL APPLICATION (FOR VACATING INTERIM RELIEF) NO. 1
of 2025****In R/SPECIAL CIVIL APPLICATION NO. 9986 of 2025****With****CIVIL APPLICATION (FOR AMENDMENT) NO. 2 of 2025
In R/SPECIAL CIVIL APPLICATION NO. 9986 of 2025****PRABHAT DIESELS****Versus****VAPI MUNICIPAL CORPORATION****Appearance:****MR RAVISH D BHATT(5867) for the Petitioner(s) No. 1****MR DEEPAK P SANCHELA(2696) for the Respondent(s) No. 1****CORAM:HONOURABLE MR. JUSTICE A.S. SUPEHIA****and****HONOURABLE MR.JUSTICE L. S. PIRZADA****Date : 07/10/2025****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE A.S. SUPEHIA)****ORDER ON CIVIL APPLICATIONS : -**

1. The present civil applications have been filed; one for vacating the interim relief, and another for amendment.

2. Learned advocate Mr.Deepak Sanchala, appearing for the respondent-Corporation, has submitted that the order dated 12.08.2025 was passed in absence of any lawyer representing the respondent-Corporation. It is submitted that the respondent-Corporation tenders its unconditional apology and assures that it will strictly adhere to the orders passed by this Court and shall remain present henceforth. It is further submitted that the work order had already been issued to Gujarat Kamdar Sahakari Mandali Ltd. on 17.06.2025, after it

was declared as the L-1 Bidder. Hence, it is urged that the interim relief granted in terms of the paragraph No.8(D) vide order dated 12.08.2025 may be vacated.

3. Learned advocate Mr.Ravish D. Bhatt, appearing for the petitioner, has submitted that he has also filed an application being Civil Application No.2 of 2025 for joining Gujarat Kamdar Sahakari Mandali Ltd. as a party respondent. It is further submitted that the prayer clauses have also been amended, and it is urged that the application filed by the petitioner may be allowed.

4. It is not in dispute that since the respondent-Corporation did not enter appearance despite service of notice issued by this Court, the Court was constrained to pass the order dated 12.08.2025, admitting the writ petition and granting interim relief in terms of paragraph No.8(D) of the petition. Paragraph No.8(D) pertains to the grant of interim relief staying further process of evaluation of bids and the award of contract to any bidder. However, it is noticed that the respondent-Corporation had already issued the work order to Gujarat Kamdar Sahakari Mandali Ltd. prior to the passing of the aforesaid order.

5. Accordingly, both the Civil Applications are allowed. The interim relief granted vide order dated 12.08.2025, in terms of paragraph No.8(D), stands vacated. Civil Application No.2 of 2025, filed by the petitioner seeking amendment, is allowed in terms of the draft. The petitioner shall carry out the necessary amendment and supply the amended memo of petition to learned advocate Mr. Sanchala as well as to this Court.

6. It is further noticed that the respondent-Corporation has already deposited an amount of Rs.25,000/-, as directed by this Court for non-cooperation in the present proceedings. The Registry shall transfer the said amount to the Gujarat High Court Legal Services Authority.

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7. After the amendment is carried out, the Registry shall issue **NOTICE** to the newly added respondent - Gujarat Kamdar Sahakari Mandali Ltd., making it returnable on **10.11.2025**. It is further clarified that the work order granted to the newly added respondent - Gujarat Kamdar Sahakari Mandali Ltd., shall remain subject to further orders passed by this Court.

Sd/-
(A. S. SUPEHIA, J)

Sd/-
(L. S. PIRZADA, J)

MAHESH/02

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: MAHESH OMPRAKASH BHATI(HC01086), PRIVATE SECRETARY, at High Court of Gujarat on 07/10/2025 17:01:19