

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 12099 of 2017****With****CIVIL APPLICATION (FIXING DATE OF EARLY HEARING) NO. 1 of 2020
In R/SPECIAL CIVIL APPLICATION NO. 12099 of 2017**=====
SHANTINIKETAN AVENUE OWNERS ASSOCIATION**Versus****RAJKOT MUNICIPAL CORPORATION & 1 other(s)**
=====

Appearance:

VIJAY H PATEL(7361) for the Petitioner(s) No. 1

MR HS MUNSHAW(495) for the Respondent(s) No. 1,2
=====**CORAM: HONOURABLE MR. JUSTICE BHARGAV D. KARIA****Date : 24/12/2020****ORAL ORDER**

Heard learned advocate Mr. Vijay H. Patel for the petitioner and learned advocate Mr. H.S. Munshaw for the respondent through video conference.

Learned advocate Mr. Munshaw states that Town Planner of the respondent-Corporation has filed affidavit dated 18th December, 2020 stating that this Court has granted stay in First Appeal no.2238 of 2012 and First Appeal no.2239 of 2012 pertaining to the land from which the proposed road to the petitioner society is passing. Mr. Munshaw also states that in view of the stay granted in the aforesaid first appeals, the respondent Corporation is also not able to provide sewage line, electric line etc., which are basic amenities for the

petitioner society.

Considering the averments made in the aforesaid affidavit, let this matter also be heard with First Appeal nos.2238 of 2012 and 2239 of 2012, so as to enable the respondent Corporation to provide basic amenities to the petitioner society. Mr. Munshaw, states that the aforesaid First Appeals are fixed for hearing on 8th February, 2021.

Stand over to **8th February, 2021.**

To be heard with First Appeal no.2238 of 2012 and First Appeal no.2239 of 2012.

AMAR RATHOD

(BHARGAV D. KARIA, J)