

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 10498 of 2025**

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SUMEL CO-OPERATIVE HOUSING SOCIETY LIMITED & ORS.
Versus
STATE OF GUJARAT & ORS.

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Appearance:

MS MONIKA K THAKKAR(12055) for the Petitioner(s) No. 1,1.1,1.2
G H VIRK(7392) for the Respondent(s) No. 4
GOVERNMENT PLEADER for the Respondent(s) No. 1
MR DEEP D VYAS(3869) for the Respondent(s) No. 2,3
MR MAULIK S SHETH(3586) for the Respondent(s) No. 5
MR SIMRANJITSINGH H VIRK(11607) for the Respondent(s) No. 4

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CORAM:HONOURABLE MRS. JUSTICE MAUNA M. BHATT

Date : 16/10/2025

ORAL ORDER

1. This petition is filed seeking to direct the respondent-corporation, as also the private respondents to consent for redevelopment.

2. Heard learned advocate Ms.Thakkar for the petitioner. Learned advocate submitted that petitioner No.1 is a Cooperative Housing Society registered under the provisions of Gujarat Cooperative Housing Societies Act. However, on account of its dilapidated condition, Notices were issued by the corporation whereby, it is stated that construction may be strengthen and repaired. Learned advocate submitted that as per Structural Engineer report, it is not advisable to strengthen the structure and therefore, majority members of the society

has agreed to go for redevelopment. There are total 48 members. Out of that, only 1 member is not agree and his heirs are joined as respondent Nos.6 to 9. Requirements under section 41-A of the Gujarat Ownership Flats Act has been complied with.

3. Considering the submissions, issue **Notice** returnable on 09.12.2025.

(MAUNA M. BHATT,J)

DIPTI PATEL