

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 13631 of 2024**

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BALDEVBHAI DWARKADAS PATEL & ORS.**Versus****THE STATE OF GUJARAT & ORS.**

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Appearance:**MR MK VAKHARIA(1483) for the Petitioner(s) No. 1,10,11,2,3,4,5,6,7,8,9****ADVANCE COPY SERVED TO GOVERNMENT PLEADER/PP for the****Respondent(s) No. 1****MR DEEP D VYAS(3869) for the Respondent(s) No. 2,3,4**

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CORAM:HONOURABLE MRS. JUSTICE MAUNA M. BHATT**Date : 24/12/2024****ORAL ORDER**

1. Heard learned advocate Mr. M. K. Vakharia for the petitioners. Learned advocate submitted that pursuant to the finalization of the Town Planning Scheme No. 215, notice dated 04.05.2023 was issued wherein the petitioner has been directed to give peaceful vacant possession of his land. Learned advocate submitted that against the original plot of the petitioner final plot has been allotted, however, till date possession of final plot has not been given. So far as the original plot of the petitioner is concerned, portion of the same has been taken for development of road and for balance land; the petitioner is served with notice for handing over possession of the same.

2. To the submission of learned advocate Mr. M.K.Vakharia

for the petitioners, learned advocate Mr. Deep Vyas for respondent No.2- Ahmedabad Municipal Corporation submitted that pursuant to the finalization of Town Planning Scheme No.215, possession of final plot could not be given to the petitioners in view of the proceedings pending before this Court in Special Civil Application No.11746 of 2023, wherein this Court has granted stay.

3. Further, for the purpose of developing road as per Final Town Planning scheme, the land in question is required. Further, he could not deny the fact that Final Plot allotted to the petitioner could not be given to him.

4. The matter be listed for further hearing on 06.02.2025.

(MAUNA M. BHATT,J)

SHRIJIT PILLAI