

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 12893 of 2025**=====
GANGARAM COOPERATIVE HOUSING SOCIETY LTD & ANR.**Versus****STATE OF GUJARAT & ORS.**
=====**Appearance:****MR YATIN OZA, SENIOR ADVOCATE with****MR. JIT P PATEL(6994) for the Petitioner(s) No. 1,2****MR DEEP VYAS, ADVOCATE for the Respondent(s) No. 2****MS AISHWARYA CHOUDHARY, AGP for the Respondent(s) No. 1**
=====**CORAM:HONOURABLE MRS. JUSTICE MAUNA M. BHATT****Date : 16/09/2025****ORAL ORDER**

1. Heard learned Senior Advocate Mr. Yatin Oza assisted by learned advocate Mr. Jit Patel for the petitioners. Learned Senior Advocate for the petitioners submitted that this petition is filed seeking to direct the objecting respondents to vacate their respective flats and give peaceful vacant possession so that the redevelopment proceedings can be initiated. Learned Senior Advocate submitted that the requirement of Section 41A of the Gujarat Ownership Flats Act, 1973 being complied with, the prayer made deserve consideration. Learned Senior Advocate submitted that since there is apprehension on the part of the petitioner that the objecting members would create third party rights to frustrate the proceedings, appropriate directions restraining the objecting respondents from creating third party rights may be issued during pendency of this

petition.

2. Considering the submissions, issue **Notice** returnable on **04.11.2025**. Private respondents are restrained from creating third party rights till the next date of hearing.

3. Over and above normal mode of service, Direct Service through RPAD (Speed Post) is permitted.

(MAUNA M. BHATT,J)

SHRIJIT PILLAI