

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 13877 of 2026

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AMRAVATI CO OPERATIVE HOUSING SOCIETY LIMITED
Versus
STATE OF GUJARAT & ANR.

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Appearance:

PRATEEK S BHATIA(8629) for the Petitioner(s) No. 1

NIRALI SARDA AGP for the Respondent(s) No. 1,2

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CORAM: HONOURABLE MR. JUSTICE NIRAL R. MEHTA

Date : 22/10/2026

ORAL ORDER

1. At the outset, learned AGP Ms. Nirali Sarada has placed reliance on paragraph No.9 of the affidavit-in-reply. The same is quoted as under:

"9. It is submitted that while submitting the subsequent application, the Applicant had sought permission for multipurpose use, whereas the land parcel in question was allotted by the Government for residential purpose only. Therefore, the Applicant was required to apply for residential purpose alone. Further, the Applicant is liable to pay premium at 20% of the Jantri rate for conversion of tenure, as the tenure of the land has never been converted, plus 30% for Non-Agricultural (N.A.) purpose. However, the Applicant had applied for payment of 30% only.

For the aforesaid reasons, the application was consigned to file. In the notings, it was mentioned that the application would be consigned to file due to non-compliance of the earlier conditions. While recording the same, the concerned operator had mentioned all three reasons, including the ULC aspect. However, the opinion with regard to ULC was positive. Therefore, reference to ULC was made inadvertently and

incorrectly. The issues regarding shortfall in premium and the purpose of use, however, did subsist. It is respectfully submitted that if the Applicant addresses both the aforesaid issues, the application will be considered positively in accordance with law."

2. In view of the aforesaid averments, learned AGP Ms. Sarda has assured this Court that if the petitioner is ready and willing to pay 20% of the Jantri rate for conversion of tenure and then, at the time of NA, additional 30% is paid, the application shall be considered positively in accordance with law.

3. In view of the aforesaid, learned advocate Mr. Bhatia for the petitioner seeks to withdraw the present petition with a view to approach the Collector, as the petitioner is ready and willing to pay 20% plus 30% Jantri rate stage-wise.

4. The petition is disposed of accordingly. If any such application is filed, the Collector, Vadodara, shall decide the same, keeping in mind the assurance given to this Court by way of affidavit dated 05.10.2026.

Direct service is permitted.

(NIRAL R. MEHTA,J)

Vikramsinh Amarsinh