

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 9529 of 2026

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KHADIMHUSAIN ISUBBHAI DAUVA & ANR.
Versus
AHMEDABAD MUNICIPAL CORPORATION

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Appearance:

MR ISA HAKIM(10874) for the Petitioner(s) No. 1,2

MR ANUJ K TRIVEDI(6251) for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE PRANAV TRIVEDI

Date : 18/09/2026

ORAL ORDER

1 Heard learned advocate Mr.Isa Hakim appearing for the petitioners and learned advocate Mr.Anuj Trivedi appearing for the respondent.

2 The present writ petition is preferred challenging the Show Cause Notice dated 04.07.2026 issued under Sections 260(1) and 267 of the Gujarat Provincial Municipal Corporations Act, 1949.

3 It is the case of the petitioner that the notices are issued with respect to a purportedly unauthorized construction of a compound wall by the petitioner on the land without obtaining prior permission development. According to the petitioner, no

development permission is required for constructing the compound wall under Regulation 2.2 read with Schedule-1 of the GDCR.

3.1 However, learned advocate Mr.Anuj Trivedi for the respondent, relying on the Gujarat Comprehensive Development Control Regulations, 2017, and more particularly Clause 21.1.1 emphasized that even if the compound wall did not require any development permission, the height of boundary wall towards the road side should not exceed 1.5 meters from the crown of the adjacent road.

3.2 In the instant case, the height of the compound wall exceeds 1.5 meters.

4 Mr.Isa Hakim, learned advocate for the petitioner, makes a statement that any excess height above 1.5 meters would be demolished and they will not exceed the height as emphasized under Clause 21.1.1. It was also stated that, if by any chance, the height exceeds such upper limit of 1.5 meters, they will not object to the Corporation's proceedings under the Act.

5 In view of the above statement made by the learned advocates for the parties, the present writ petition is disposed of, as not pressed at this stage.

BIMAL

(PRANAV TRIVEDI,J)