

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**CIVIL APPLICATION (FOR MODIFICATION OF ORDER) NO. 4 of 2024
In R/WRIT PETITION (PIL) NO. 118 of 2020**

=====

LETS JUMP TRAMPOLINE AND ADVENTURE PVT. LTD.

Versus

AMIT MANILAL PANCHAL & ORS.

=====

Appearance:

MR AMIT V THAKKAR(3073) for the PETITIONER(s) No. 1
MR KAMAL TRIVEDI, LD ADVOCATE GENERAL WITH MS MANISHA LAVKUMAR, LD ADDL. ADVOCATE GENERAL WITH MR. VINAY BAIRAGRA, AGP for the RESPONDENT(s) No. 2
G H VIRK(7392) for the RESPONDENT(s) No. 4
MR CHINMAY M GANDHI(3979) for the RESPONDENT(s) No. 11
MR HS MUNSHAW(495) for the RESPONDENT(s) No. 10,11,6,7,9
MR KAUSHAL D PANDYA(2905) for the RESPONDENT(s) No. 12,8
PARTY IN PERSON(5000) for the RESPONDENT(s) No. 1

=====

**CORAM:HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA
AGARWAL
and
HONOURABLE MR. JUSTICE PRANAV TRIVEDI**

Date : 04/07/2024

**IA ORDER
(PER : HONOURABLE THE CHIEF JUSTICE
MRS. JUSTICE SUNITA AGARWAL)**

1. Mr.Amit V. Thakkar, learned advocate for the applicant would submit that the applicant is constrained to file the modification application seeking for modification of the order dated 27.05.2024, wherein a blanket direction has been issued to stop all gaming zones in the State of Gujarat in the wake of the tragic incident of fire occurred at the TRP Game Zone in Rajkot, on 25.05.2024.

2. It is stated in the application that the applicant is running a gaming zone in the name of Woop Dome since the year 2019 after seeking requisite permission from the competent authority. The applicant even possesses a Fire Safety Certificate dated 27.01.2023, Occupancy Certificate dated 12.06.2020 and Stability Certificate dated 20.02.2024. A certificate issued under Section 33(1) of the Gujarat Police Act, 1951, has also been appended herewith.
3. It stated that the applicant has invested huge amount of money and about 120 employees are working in the gaming zone, which is causing huge loss to the applicant on account of abrupt stoppage of the gaming zone. The gaming zone has been sealed on 26.05.2024 as a result of the tragic incident occurred in TRP Game Zone, Rajkot. A closure notice dated 26.05.2024 pointing out irregularities has been served on the applicant without giving any opportunity. The contention is that the closure notice has been issued with a predetermined mind and the action is in breach of principles of natural justice.
4. From the statement made in the application itself, it is evident that the gaming zone being operated by the applicant since the year 2019 has been closed by serving a closure notice dated 26.05.2024 after inspection of the same by the officers of the Surat Municipal Corporation. The appropriate course of action for the applicant, therefore, is to bring his own action before the competent court. There is no question for modification of the order dated 27.05.2024, inasmuch as, the Corporation is duty bound to ensure that no such gaming

zones operate in the State which do not comply with the necessary conditions and requirements for running such activities.

5. As the applicant is required to bring his own action for any illegal action of the respondent Corporation, we dismiss the instant modification application, as misconceived.

(SUNITA AGARWAL, CJ)

(PRANAV TRIVEDI,J)

BIJOY B. PILLAI