

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/SPECIAL CIVIL APPLICATION NO. 11191 of 2024**

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SHARDANAGAR COOPERATIVE HOUSING SOCIETY LTD.

Versus

AHMEDABAD MUNICIPAL CORPORATION &amp; ORS.

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Appearance:

IG JOSHI(8726) for the Petitioner(s) No. 1

for the Respondent(s) No. 1,2,3

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**CORAM:HONOURABLE MS. JUSTICE SANGEETA K. VISHEN****Date : 31/07/2024****ORAL ORDER**

1. Mr.Joshi, learned Advocate appearing for the petitioner has tendered the draft amendment. Amendment is allowed in terms of the draft. The same shall be carried out forthwith.

2. Mr.GM Joshi, learned Senior Counsel appearing with Mr. IG Joshi, learned Advocate appearing for the petitioner submitted that the private respondents have purchased the super-structure and they claim not to be the members of the society. The suit was filed before the learned Board of Nominees which, has been rejected on the ground that respondent nos. 2 and 3 are not the members of the society. It is further submitted that even the corporation has issued notice to the private respondents requiring to remove the illegal construction and/or to stop the same, since the same is without any permission. Despite which, the construction of the temple is going on in full force.

2. Considered the submissions. Issue notice to the respondents returnable on 29.08.2024.

3. Till the next date of hearing, the parties are directed to maintain status quo.

4. Direct service is permitted.

SINDHU NAIR

**(SANGEETA K. VISHEN,J)**