

ITEM NO.11 Court 13 (Video Conferencing) SECTION III

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 20600/2019

(Arising out of impugned final judgment and order dated 10-07-2019 in LPA No. 1412/2018 passed by the High Court Of Gujarat At Ahmedabad)

RAHULRAJ MALL CO-OP. SERVICE SOCIETY LIMITED Petitioner(s)

VERSUS

STATE OF GUJARAT & ORS. Respondent(s)

(IA No.124586/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.124583/2019-EXEMPTION FROM FILING O.T. and IA No.124587/2019-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
IA No. 101281/2021 - APPLICATION FOR PERMISSION
IA No. 175873/2019 - APPLICATION FOR PERMISSION
IA No. 177195/2019 - INTERVENTION APPLICATION
IA No. 100490/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

SLP(C) No. 24171/2019 (III)

(FOR impleading party ON IA 173666/2019

FOR INTERVENTION/IMPLEADMENT ON IA 173666/2019

FOR PERMISSION TO APPEAR AND ARGUE IN PERSON ON IA 173668/2019

IA No. 173666/2019 - INTERVENTION/IMPLEADMENT

IA No. 173668/2019 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

Date : 01-09-2021 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Parties:

Mr. P.S. Patwalia, Sr. Adv.
Mr. Shamik Shirishbhai Sanjanwala, AOR
Mr. Kunal Vyas, Adv.

Mr. K.K. Trivedi, Adv.
Mr. Chirag M. Shroff, AOR

Mr. Aniruddha P. Mayee, AOR

Ms. Aastha Mehta, Adv
Mr. Satyam Chhaya, Adv
Ms. Deepanwita Priyanka, AOR
Mr. Munawwar Naseem, AOR
Mr. Dhaval Nanavati, Adv.
Ms. Ruchi Khurana, Adv.

Respondent-in-person

Mr. Sahil Narang, Adv.
Mr. Madhavam Sharma, Adv.
Mr. Ayushman Kacker, Adv.
for M/s. Khaitan & Co., AOR

UPON hearing the counsel the Court made the following
O R D E R

It cannot be disputed that traffic problem in the metropolitan cities in the State of Gujarat is a very serious issue because of non-availability of public parking and even sufficient parking spaces in the malls and other markets. The citizens are compelled to park on the road. There is no uniform policy and/or guidelines and/or notifications issued by the State Government.

Mr. A.P. Mayee, learned counsel appearing for the State has submitted that a policy decision has been taken by the State Government to adopt the parking policy adopted by the Surat Municipal Corporation. There cannot be any different policy decisions for different Corporations. The Government has to come out with common guidelines or notifications under the Town Planning Act or under the General Development Control Regulations (GDCR).

As a last chance, put up on 14.09.2021.

In the meantime, the Government must come out with a policy which shall be binding on all the Corporations and to see to it that problem of parking/traffic is resolved. Counter Affidavits shall be filed by the Secretary, Home Department, Secretary, Urban Planning Department and Secretary, Transport before the next date of hearing.

(R. NATARAJAN)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
BRANCH OFFICER