

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**MISC. CIVIL APPLICATION (FOR DIRECTION) NO. 1 of 2025****In****CIVIL APPLICATION (FOR DIRECTION) NO. 1 of 2022****In****R/WRIT PETITION (PIL) NO. 123 of 2020**

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AHMEDABAD MUNICIPAL CORPORATION**Versus****KHEMCHAND RAJARAM KOSHTI & ORS.**

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Appearance:

MR KAMAL TRIVEDI, SR. ADVOCATE assisted by MR ANUJ K TRIVEDI and MR VINAY BAIRAGRA for the PETITIONER(s) No. 1
 MS HETAL PATEL, AGP for the RESPONDENT(s) No. 2,3
 MR KR KOSHTI(1092) for the RESPONDENT(s) No. 1
 PARTY IN PERSON(5000) for the RESPONDENT(s) No. 1
 VIKAS V NAIR(7444) for the RESPONDENT(s) No. 4

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**CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
 SUNITA AGARWAL
 and
 HONOURABLE MR. JUSTICE D.N. RAY**

Date : 16/01/2026

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

1. Heard Mr. Kamal B. Trivedi, the learned Senior advocate assisted by Mr. Anuj K. Trivedi and Mr. Vinay Bairagra, learned advocates for the applicant. Mr. Vikas V. Nair, learned advocate has put in appearance on behalf of respondent no.4. He has no objection to the prayer made in the application.
2. This application has been filed on behalf of the Ahmedabad Municipal Corporation to seek modification

of the orders dated 12.09.2022 and 19.09.2022 passed in the writ petition to the extent of the observations made therein that Sheth V.S. Hospital and Chinai Hospital run by the AMC consisting of 500 beds would not be demolished and will be continued to operate with the requisite infrastructure facilities relating thereto.

3. It seems that after the said undertaking of Mr. Kamal B. Trivedi, the learned Senior advocate for the Ahmedabad Municipal Corporation recorded in the order dated 19.09.2022, the matter has not been proceeded for a long time.
4. On 30.11.2023, on the statement made by the Mr. K.R. Koshti, the petitioner appearing in person (advocate by profession), the writ petition has been dismissed as withdrawn as no cause of action survived.
5. The occasion for filing of the modification application arose on account of the fact that over the period of time, the building wherein the hospital is being run, has become dilapidated. The statement in the modification application is that the Ahmedabad Municipal Corporation got a report from the Structural Engineer dated 05.08.2023 with regard to structural stability of the hospital building, wherein it is opined that all sections of Chinai Maternity Home (CMH) building and Tower building of the Sheth V.S. Hospital are in need of a comprehensive restoration.

6. The contention is that in light of the said report, the two buildings in the hospital premises are in dire need of renovation. On 15.06.2025, the Board of Management of the hospital resolved to renovate the Sheth Chinai Hospital and Tower Building (Building No.2) specifically Ward nos. 1 to 6, which came to be approved by the Corporation on 12.08.2025. It is stated that during the course of renovation of two buildings, specifically Ward Nos. 1 to 6, the same would be inaccessible and unusable to the patients. As a result of it, the in patient capacity in the hospital would be reduced temporarily to 203 beds.
7. It is further stated that this reduction in Inpatient capacity is only temporary and the Corporation undertakes to complete the renovation work to restore/renovate the hospital for operational capacity of 507 beds within a period of two years.
8. The report of the Structural Engineer and the photographs showing damage caused to the building are appended to the application. Taking note of the above, we are of the view that the prayer made in the application deserves to be allowed. The applicant Corporation is permitted to reduce the number of beds to accommodate inpatients from 500 to 203 beds as a temporary arrangement, subject to the condition that during the course of renovation, all efforts shall be made to increase the capacity to accommodate as many hospital beds as possible and at least 507 beds as stated

before us.

9. With the above, the modification application seeking for partial modification of the order dated 12.09.2022 and 19.09.2022 is allowed to the above extent.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

BIJOY B. PILLAI