

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 11138 of 2026

=====

CHANDRAKANT RAMCHANDRA MAGNANI & ANR.

Versus

STATE OF GUJARAT & ORS.

=====

Appearance:

ADITYA A GUPTA(7875) for the Petitioner(s) No. 1,2

MS. KRISHNA DESAI, ASST. GOVERNMENT PLEADER for the
Respondent(s) No. 1

LAW OFFICER BRANCH(420) for the Respondent(s) No. 2

MR. R.D.KINARIWALA(6146) for the Respondent(s) No. 2,3

=====

CORAM:**HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA**

and

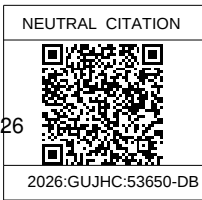
HONOURABLE MR.JUSTICE J. L. ODEDRA

Date : 20/08/2026

JUDGMENT

(PER : HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA)

1. A notice to vacate a canteen setup in a District Court premises is challenged in this writ petition. It is the case of the petitioners that they have been running the canteen since the past several decades and a decision was taken by the administration to call for tenders to run the canteen.
2. It is submitted that pursuant to the decision of the administration to call for tenders, a tender notification was in fact issued in April-2026, but since there was no response, the said tender could not be concluded. It is also submitted that in the month of July 2026, a fresh tender is called for and the petitioners have applied under the said tender.
3. It is the contention of the petitioners that the



administration was wrong in calling upon them to vacate the premises even before the tender process was concluded. It is submitted that since the petitioners were running the canteen for the past several decades, it would be appropriate to permit them to continue to run the canteen till the new tender initiated in July-2026 is concluded. It is also submitted that in case the petitioners succeed in the tender, they would continue. However, if they were to fail in their bid to secure the tender, they would undertake to vacate and hand over possession to the administration forthwith. An affidavit of undertaking is also filed in this regard.

4. In that view of the matter, we feel it would be appropriate to permit the petitioners to continue running the canteen in the District Court premises at Godhra until the tender process initiated in July-2026 is concluded. If the tender is awarded in favor of the petitioners, it is obvious that they will be permitted to continue to run the canteen. If, however, the tender is awarded to another contractor, the petitioners shall abide by their undertaking and hand over possession within a period of seven days.
5. It is made clear that if this undertaking is breached, contempt action would be initiated against the petitioners immediately.
6. Accordingly, the present writ petition is disposed of.

(N.S.SANJAY GOWDA,J)

(J. L. ODEDRA, J)

Mehul Desai