

{G.P.C.Schedule, IpAppr.D.No.1]

FINAL DECREE

(અો.૨૦, ડા.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE SHRI B.B.JADAV**AT: KAPADWANJ, DISTRICT: KHEDA****Regular Civil Suit no - 30/2012**

Registration No: 30/2012

Registered On: 01-03-2012

Decided On: 31-08-2019

Exhibit No: 51

PLAINTIFF:

Chauhan Ichchhabhai @ Ishwarbhai Jujarbhai

Residing at - Shelgadh, Ta. Kapadwanj, District - Kheda.

At present Residing at Sultanpur, Ta. Kapadwanj, District - Kheda.

DEFENDANT:

1. Rathod Hasmukhbhai @ Manubhai Shanabhai.

2. Surajben Widow of Shanabhai Motibhai.

3. Bharatbhai Shanabhai Rathod.

4. Pravinbhai Shanabhai Rathod.

All Residing at Shelgadh Ta. Kapadwanj, District - Kheda.

SUBJECT: Suit for Specific Performance & Permanent Injunction.**APPEARANCE:**

Learned Advocate Mr. J. M. CHAUHAN for the PLAINTIFF .

Learned Advocate Mr. H. M. JOSHI for the DEFENDANTS.

Brief facts giving rise to present petition are as under :-

1. Plaintiff has filed present suit against the defendants for the Specific Performance and Permanent Injunction, in lieu of, agreement to sale executed by defendant No. 1 on date 27.12.1991 in respect of disputed land of Eastern Side Ad-measuring Acre - 2, 18 Gunthas of land bearing Survey No. 88 situated in the Sim of Village of Sultanpur (Taiyabpur)

2. It is the say of the plaintiff that the entire land bearing Survey No. 88 Ad-measuring H-1-73-00 R.A. are absolutely in the ownership of defendants out of which Eastern

side Acre-2 , 18- Gunthas came to the share of defendant No. 1 and defendant no. 1 has executed agreement to sale on date 27.12.1991 in favor of plaintiff's father in consideration of Rs. 53,125/- and accepting Rs. 11,000/- in cash from the plaintiff's father and also noted in the diary in his own hand writing by defendant No. 1 later on defendant No.1 has received Rs. 19,500/- on date 30.12.1991, Rs. 2000/- on date 09.01.1992 and Rs. 14,000/- of Sanvat 2048 Magshar Vad - 9 and Rs. 3,000/- on date 05.02.1995 and thus, defendant no. 1 has received total Rs. 54,500/- instead of Rs. 53,125/-. Thus, defendant No. 1 has received Rs. 1375 etc. against the decided amount

of consideration. Further, it is the say of the plaintiff that against above receipt of amounts, defendant no. 1 has made endorsement in diary. Further, it is the say of the plaintiff that defendant No. 1 has also executed agreement in favour of plaintiff on date 27.08.1994 on the stamp of Rs. 20/- in presence of witnesses. Further, it is the say of the plaintiff that defendant no. 1 has also handed over possession on date 27.12.1991 to the plaintiff since then plaintiff cultivating the land and taking agricultural produce from it. Further, it is the say of the plaintiff that he has repeatedly asked, defendant No. 1 to execute registered sale deed, but defendant No. 1 has denied to do so and try to transfer the disputed property to someone else and also threaten, plaintiff to encroach possession from the disputed land for that present suit is filed against the defendants for the Specific Performance and Permanent Injunction.

ORDER

1. **The present suit preferred by the plaintiff is hereby rejected.**
2. **Further, plaintiff is order to bear their own cost and also bear the cost of the defendants.**

s/d

KAPADWANJ

(Bharat Bhaskarbhai Jadav)

Date: 31/08/2019

Principal Senior Civil Judge, Kapadwanj.

Code No. GJ-00714

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	4100/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	10/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	1500/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	5690/-	TOTAL	88/-
Expense not paid by	00	Expense not paid by	00/-

Plaintiff		Defendant	
Final Amount	5690/-	Final Amount	88/-

Given under my hand & seal of the Court on date AUGUST 31, 2019.

Learned Advocate Mr. J.M. CHAUHAN of the PLAINTIFF .

Learned Advocate Mr. H. M. JOSHI of the DEFENDANTS.

Drawn by	Compared by	
(M.P. GOSWAMI)	(B. A. PARMAR)	(B. B. JADAV)
Civil Assistant	Superintendent	Principal Senior Civil Judge
		Kapadwanj

(અ.શુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(અ.૨૦, કા.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE SHRI B.B.JADAV
AT: KAPADWANJ, DISTRICT: KHEDA

Regular Civil Suit no - 180/2011

Registration No: 180/2011

Registered On: 16-11-2011

Decided On: 31-08-2019

Exhibit No: 135

PLAINTIFF:

Javansinh Jibhabhai Parmar (Died)

Legal Heirs of Javansinh Jibhabhai Parmar.

- | | |
|---|------------------------------------|
| 1. Jiviben widow of Javansinh Jibhabhai Parmar. | 2. Rajuben d/o Javansinh Jibhabhai |
| 3. Mohanbhai Javansinh Parmar | 4. Gelabhai Javansinh Parmar |
| 5. Rayeeben d/o Javansinh Jibhabhai Parmar | |

All Residing at Amchadi, Post Torna, Ta. Kapadwanj, District - Kheda.

DEFENDANT:

1. Shardaben w/o Chhotabhai Babarbai

Residing at - Torna , Ta. Kapadwanj, District Kheda.

2. Legal Heirs of Jagdishbhai Chhotabhai Parmar.

2/A. Manguben w/o Jagdishbhai Parmar

2/B. Mamtaben d/o Jagdishbhai Parmar.

2/C. Rohan Jagdishbhai Parmar.

2/D. Jatin Jagdishbhai Parmar.

3. Manubhai Chhotabhai Parmar.

All Residing at Torna, Ta. Kapadwanj, District - Kheda.

SUBJECT: Suit for Permanent Injunction.

APPEARANCE:

Learned Advocate Mr. M. A. SHAIKH for the PLAINTIFF .

Learned Advocate Mr. Z. A. PATHAN for the DEFENDANTS.

Brief facts giving rise to present petition are as under :-

1. Plaintiff has filed present suit against the defendants for the Permanent Injunction in respect of land bearing Survey No. 888 Ad-measuring H-0-78-91 RA situated in the sim of Village Torna, Ta. Kapadwanj, District - Kheda. Further, it is pertinent to note that

Page 2

RCS 180/2011

during the pendency of suit original plaintiff Javansinh Jibhabhai Parmar and defendant No. 2 Jagdishbhai Chhotabhai Parmar died for that their legal heirs came on record to proceed with the matters.

2. It is the say of the plaintiff that he is the owner and in possession of the disputed land and taking agricultural produce from it and also constructed one hut and water tank in the disputed land. It is the say of the plaintiff that on date 24.02.2006 he has purchased disputed land by virtue of registered sale deed from the original landlord Kantibhai Babarbai and Late Ramanbhai Babarbai vide registered sale deed No. 251/06. Thus, plaintiff is the legal owner and having possession over the disputed land by virtue of registered sale deed for the valuable consideration. Further, it is the say of the plaintiff that he has moved an application to mutate his name in the disputed land at that time defendants have objected and the mutation entry was rejected by concern Mamlatdar for the plaintiff has filed an appeal before the Deputy Collector, Nadiad. Further, it is the say of the plaintiff that that Kantibhai Babarbai and Ramanbhai Babarbai died without having any legal heirs behind them though defendants have falsely objected by stating that they are the legal heirs of their. Further, it is the say of the plaintiff that defendants have falsely mutated hereditary entry in revenue records though they are not legal heirs for that present suit is filed for the protection of legal possession and ownership right against the defendants.

ORDER

- 1. The present suit preferred by the plaintiff is hereby allowed.**
- 2. The defendants are restrained permanently from obstructing in plaintiff's possession over the disputed land bearing Survey No. 888 Ad-measuring H-0-78-91 situated in the Sim of Village Torna.**
- 3. Further, the counter claim preferred by defendants vide Exh. 26 is hereby rejected.**
- 4. Further, defendants are order to bear their own cost and also bear the cost of the plaintiff.**

s/d

KAPADWANJ

(Bharat Bhaskarbai Jadav)

Date: 31/08/2019

Principal Senior Civil Judge, Kapadwanj.

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	100/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	15/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	900/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	1090/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	1090/-	Final Amount	90/-

Given under my hand & seal of the Court on date AUGUST 31, 2019.

Learned Advocate Mr. M. A. SHAIKH for the PLAINTIFF .
Learned Advocate Mr. Z. A. PATHAN for the DEFENDANTS.

Drawn by

Compared by

(M.P. GOSWAMI)

(B. A. PARMAR)

(B. B. JADAV)

Civil Assistant

Superintendent

Principal Senior Civil Judge

Kapadwanj

(સા.શુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(આ.૨૦, કા.૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE SHRI B.B.JADAV

AT: KAPADWANJ, DISTRICT: KHEDA

HMP no - 28/2018

Registration No: 18/2018
Registered On: 12-06-2018
Decided On: 31-08-2019
Exhibit No: 23

PETITIONER:

Kamleshbhai Kanubhai Bhoi
Residing at Madadra, Post - Apruji, Ta. Kathlal, District Kheda.

OPPONENT:

Rajaben Manubhai Bhoi
Residing at - Juna Bhoivas, at Haldarvas, Ta. Mehemdabad, District - Kheda.

SUBJECT: Hindu Marriage Act 1955 u/s 9.

APPEARANCE:

Learned Advocate Mr. J. S. SOLANKI for the PETITIONER .
Learned Advocate Mr. H. M. JOSHI for the OPPONENT.

Brief facts giving rise to present petition are as under :-

1. The petitioner has filed present petition u/s 9 of the Hindu Marriage Act, 1955 for the decree of conjugal right against the opponent.

2. It is the say of the petitioner that her marriage solemnized as per the Hindu Rites & Rituals with opponent prior to six years ago at Haldarvas, Ta. Mehemdabad. Further, it is the say of the petitioner that after solemnize marriage opponent came to his house and both are living peacefully their matrimonial life. Further, it is the say of the petitioner that their matrimonial life going good for initial one year then after opponent started to move her parental home repeatedly without taking his or his family member consent. Further, it is the say of the petitioner that day by day harassment from opponent towards his is repeatedly increased and she stated him that he doesn't like her forcefully her marriage solemnize with him and she doesn't want to live with him but, he has tried to understand her but, he can't get success in it. Further, it is the say of the petitioner that

Page 2

HMP 28/2018

opponent's father has filed false complaint against him at women police Nadiad where compromise took place between them and agreement for divorce executed on date 27.06.2017 by forcefully and bring opponent with them at parental home. Further, it is the say of the petitioner that since last 2 months he has tried to bring opponent at matrimonial home but, she denied for the same for that present petition is filed against opponent for the decree of conjugal right u/s 9 of the Hindu Marriage Act, 1955 against the opponent.

ORDER

- 1. The present petition preferred by the petitioner is hereby rejected.**
- 2. Further, petitioner is order to bear his own cost and also bear the cost of the opponent.**

s/d

KAPADWANJ

(Bharat Bhaskarbhai Jadav)

Date: 31/08/2019

Principal Senior Civil Judge, Kapadwanj.

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	50/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	08/-	Process Fee	08/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	135/-	TOTAL	85/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	135/-	Final Amount	85/-

Given under my hand & seal of the Court on date AUGUST 31, 2019.

Learned Advocate Mr. J. S. SOLANKI for the PETITIONER .
Learned Advocate Mr. H. M. JOSHI for the OPPONENT.

Drawn by

Compared by

(M.P. GOSWAMI)

(B. A. PARMAR)

(B. B. JADAV)

Civil Assistant

Superintendent

Principal Senior Civil Judge

Kapadwanj

(સા.મુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(અ.૨૦, ૫૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE SHRI B.B.JADAV

AT: KAPADWANJ, DISTRICT: KHEDA

Regular Civil Suit no - 64/2011

Registration No: 64/2011

Registered On: 28-03-2011

Decided On: 07-09-2019

Exhibit No: 69

PLAINTIFF:

Babubhai Ambalal Patel

Residing at Telnar , Ta. Kapadwanj, District - Kheda.

DEFENDANT:

Manibhai Magabhai Parmar

Residing at Telnar , Ta. Kapadwanj, District - Kheda.

SUBJECT: Suit for Permanent Injunction.

APPEARANCE:

Learned Advocate Mr. R. R. TRIVEDI for the PLAINTIFF .

Learned Advocate Mr. M. A. PATHAN for the DEFENDANT.

Brief facts giving rise to present petition are as under :-

1. Plaintiff has filed present suit against the defendant for the permanent injunction in respect of land bearing Survey No. 127 Ad-measuring H-1072-00 situated in the Sim of Village Telnar.

2. It is the say of the plaintiff that he is the owner and having possession over the disputed land and cultivating the land and taking agricultural produce from it. Further, it is the say of the plaintiff that defendant try to encroach, plaintiff's possession from the disputed land since last week and also threaten to leave the possession for that present suit is filed to protect the possession over the disputed land by seeking permanent injunction against the defendant.

ORDER

1. The present suit is preferred by the plaintiff is hereby rejected.
2. Plaintiff is order to bear his own cost and also bear the cost of the defendant.

s/d

KAPADWANJ

(Bharat Bhaskarbhai Jadav)

Date: 07/09/2019

Principal Senior Civil Judge, Kapadwanj.

Code No. GJ-00714

Suit Expense Figure

Plaintiff's/ Petitioner's Expense	Defendant's/Opponent Expense
--	-------------------------------------

	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	100/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	08/-	Process Fee	08/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	1000/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	1185/-	TOTAL	85/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	1090/-	Final Amount	90/-

Given under my hand & seal of the Court on date AUGUST 31, 2019.

Learned Advocate Mr. R. R. TRIVEDI for the PLAINTIFF .
Learned Advocate Mr. M. A. PATHAN for the DEFENDANT.

Drawn by

Compared by

(M.P. GOSWAMI)

(B. A. PARMAR)

(B. B. JADAV)

Civil Assistant

Superintendent

Principal Senior Civil Judge

Kapadwanj

(સા.શુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(અ.૨૦, ૪૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE SHRI B.B.JADAV

AT: KAPADWANJ, DISTRICT: KHEDA

Regular Civil Suit no - 44/2013

Registration No: 44/2013

Registered On: 30-07-2013

Decided On: 07-09-2019

Exhibit No: 72

PLAINTIFF:

1. Somabhai Jivabhai Rohit.

2. Manjuben Jivabhai Rohit.

Residing at Rohitvas Nanizer, Dada na Muvada, Motizer,
Ta. Kapadwanj, District - Kheda.

DEFENDANT:

1. Rameshbhai Galabhai Zala.
2. Dhiraji Raanji Zala.
3. Somaji Ranaji Zala.
4. Galabji Ranchhodji Zala

Residing at - Dada na Muvada, Motizer, , Ta. Kapadwanj, District - Kheda.

SUBJECT: Suit for Declaration and Permanent Injunction.

APPEARANCE:

Learned Advocate Mr. B. H. MALEK for the PLAINTIFFS .
Learned Advocate Mr. I. K. PARMAR for the DEFENDANTS.

Brief facts giving rise to present petition are as under :-

1. Plaintiffs have filed present suit against the defendants for the Declaration and Permanent Injunction in respect of disputed land bearing Survey No. 139 Ad-measuring H_0-59-62 situated in the sim of village Dada na Muvada, Ta. Kapadwanj, District - Kheda. It is the say of the plaintiffs that they are the owner and in possession of the disputed land and cultivating the land taking agricultural produce from it and recently they have grown sorghum (Bajra) in the summer season and half of hte land are

Page 2

RCS 44/2013

uncultivated. Further, it is the say of the plaintiffs that his father Jivabhai suffering from Paralysis and T.B. in the year of 1988 and he was bed ridden and unable to cultivate the land. Further, it is the say of the plaintiffs that the disputed land divided among the all co-owners and half share of the disputed land came to the share of plaintiffs in which they are taking cultivating and taking agricultural produce from it. Further, it is the say of the plaintiffs that defendants have issue false and fabricated notice on date 26.11.2012 by stating that in the year, 1990 they have purchased disputed land from Jivabhai8 Nathabhai and having possession over it and try to encroach the possession over it and try to encroach the possession from the plaintiffs for that present suit is filed against the defendants for the declaration and permanent injunction.

ORDER

1. **The present suit is preferred by the plaintiff is hereby allowed.**
2. **Further, defendants are hereby ordered to restrain permanently from obstructing plaintiffs possession over the disputed land bearing Survey No. 139 ad- measuring H-0-59-62 situated in the sim of village Dada na muvada.**
3. **Further, the alleged agreement dated 01.05.1990 is hereby declared invalid and illegal.**
4. **Further, defendants are order to bear his own cost and also bear the cost of the**

plaintiffs.

s/d

KAPADWANJ

(Bharat Bhaskarbhai Jadav)

Date: 07/09/2019

Principal Senior Civil Judge, Kapadwanj.

Code No. GJ-00714

Page - 3

RCS - 64/2011

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	200/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	08/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	1500/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	1790/-	TOTAL	85/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	1790/-	Final Amount	90/-

Given under my hand & seal of the Court on date AUGUST 31, 2019.

Learned Advocate Mr. B. H. MALEK for the PLAINTIFFS .

Learned Advocate Mr. I. K. PARMAR for the DEFENDANTS.

Drawn by

Compared by

(M.P. GOSWAMI)

(B. A. PARMAR)

(B. B. JADAV)

Civil Assistant

Superintendent

Principal Senior Civil Judge

Kapadwanj

FINAL DECREE

(અા.૨૦, ડા.૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

**IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE SHRI B.B.JADAV
AT: KAPADWANJ, DISTRICT: KHEDA**

H.M.P. no - 01/2019

Registration No: 01/2019

Registered On: 02-01-2019

Decided On: 16-09-2019

Exhibit No: 09

PETITIONER:

Dhanabhai Kesabhai Chauhan

Residing at Fatiyavad, Ta. Kapadwanj, District - Kheda.

OPPONENT:

Kokilaben d/o Budhabhai Zala and w/o Dhanabhai Keshabhai Chauhan

Residing at - Kalaji , Ta. Bayad, District - Aralli.

SUBJECT: Hindu Marriage Petitioner U/S 9.

APPEARANCE:

Learned Advocate Mr. H. M. JOSHI for the Petitioner .

Ex - Parte for the Opponent.

Brief facts giving rise to present petition are as under :-

1. The petitioner has filed present petitioner u/s of the Hindu Marriage Act, 1955 for the decree of conjugal right against the opponent.

2. It is the say of the petitioner that his marriage solemnized as per the Hindu Rites & Rituals with opponent prior to eleven (11) years ago. Further, it is the say of the petitioner that after solemnize marriage opponent came to his house and both are living peacefully their matrimonial life. Further, it is the say of the petitioner that their matrimonial life going good for initial four years then after opponent started to move her parental home repeatedly without taking his or his family member consent. Further, it is the say of the petitioner that day by day harassment from opponent towards him is repeatedly increased and stated him that she doesn't like to live with him but, he has tried to understand her but, he can't get success in it for that present petition is filed against

Page 2

H.M.P - 01/2019

opponent for the decree of conjugal right u/s 9 of the Hindu Marriage Act, 1955 against the opponent.

ORDER

1. Present petition preferred by Petitioner is hereby rejected.

2. Further, petitioner is order to bear his own cost and also bear the cost of the opponent.

s/d

KAPADWANJ

(Bharat Bhaskarbhai Jadav)

Date: 16/09/2019

Principal Senior Civil Judge, Kapadwanj.

Code No. GJ-00714

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	50/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	00/-
Process Fee	08/-	Process Fee	00/-
Pleader's Fee	75/-	Pleader's Fee	00/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-

Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	135/-	TOTAL	85/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	135/-	Final Amount	90/-

Given under my hand & seal of the Court on date SEPTEMBER 16, 2019.

Learned Advocate Mr. H.M.JOSHI for the PETITIONER .
Ex - Parte for the defendant.

Drawn by

Compared by

(M.P. GOSWAMI)

(B. A. PARMAR)

(B. B. JADAV)

Civil Assistant

Superintendent

Principal Senior Civil Judge

Kapadwanj

(સા.મુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(અ.૨૦, ૫૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE SHRI B.B.JADAV
AT: KAPADWANJ, DISTRICT: KHEDA

Special Civil Suit no - 110/2017

Old SPCS No. 95/2016

Registration No: 95/2016

Registered On: 27-06-2016

Decided On: 16-09-2019

Exhibit No: 81

PLAINTIFF:

1. Ramilaben widow of Jesangbha Budhabhai
2. Kiranbhai Jesangbhai Bhoi
3. Akshaykumar Jesangbhai Bhoi
4. Hasmukhbhai Jesangbhai Bhoi
5. Budhabhai Jivabhai Bhoi
6. Raiben w/o Budhabhai Jivabhai Bhoi

Residing at Chhipiyal, Ta. Kathlal, District - Kheda.

DEFENDANT:

1. Madhya Gujarat Vij Company LTD.

At- Vijbhavan, Rascross, Vadodara.

2. Bhagvan Fulabhai Chavada

3. Diseshbhai Ramanbhai Chavada

4. Rajubhai Dineshbhai Chavada.

Defendant No. 2 to 4 residing at - Bhoimuvadi, Chhipiyal,

Ta. Kathlal District - Kheda.

SUBJECT: Suit for Compensation of Rs. 6,00,000/-.

APPEARANCE:

Learned Advocate Mr. M. S. PATHAN for the PLAINTIFFS .

Learned Advocate Mr. P. F. CHAUHAN for the DEFENDANT NO. 1.

Learned Advocate Mr. S.T. PATELIYA for the DEFENDANT NO. 2 TO 4

Page 2

SPCS 110/2017

Brief facts giving rise to present petition are as under :-

1. Plaintiff have filed present suit against the defendant for the compensation of Rs. 6,00,000/- along with 18% interest, in lieu of, death of Jesangbhai Budhabhai due to electrocution. Further, it is the say of the plaintiffs that they are residing at Bhoimuvadi, Chhipiyal and defendant Nos. 2 to 4 also residing Bhoimuvadi, Chhipiyal and they are agriculturists. Further, it is the say of the plaintiffs that defendant No. 1 is an Electricity Company and supply Electricity Company and supply Electricity to the consumers having connection for the residential and agricultural purpose. Further, it is the say of the plaintiffs that Jesangbhai Budhbhai was about 46 years old and on date 28.08.2015 in the morning, he went of natural call and at that time, he was passing from the field of defendant Nos. 2,3, & 4 where they have fixed electricity supply surrounding their fields to protect their crops from the wild animals by theft of illegal electricity and it is quite enough to put the livelihood of human being and animal in danger though defendant No. 1 has not taken any action against defendant Nos. 2 to 4. Further, it is the say of the plaintiffs that deceased died due to electricity power came into touch which was supply by defendant No. 1 and usages by defendants are jointly and severally responsible for their negligent act. Further, it is the say of the plaintiffs that deceased was healthy and sound earning from agricultural land and he is only an earning person in the family of plaintiffs and he was having early income of Rs. 5,00,000/- and with the other at like giving tractor on rent and self labour, he earned another 40,000/- and thus, looking to his age another 14 years, he will be in a position to earn and thus, plaintiffs are entitled for compensation amount, they are entitled in rs. 6,00,000/- @ 18 % per annum from the defendants. Thus, present suit filed against the defendants to recover Rs. 6,00,000/- towards compensation along with 18% interest per annum.

ORDER

1. The present suit preferred by the plaintiffs is hereby rejected.

2. Further, plaintiffs are order to bear their own cost and also bear the cost of the

defendants.

s/d

KAPADWANJ

(Bharat Bhaskarbhai Jadav)

Date: 07/09/2019

Principal Senior Civil Judge, Kapadwanj.

Code No. GJ-00714

Page - 3

SPCS - 110/2017

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	15,950/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	08/-
Pleader's Fee	900/-	Pleader's Fee	900/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	16865/-	TOTAL	910/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	16865/-	Final Amount	910/-

Given under my hand & seal of the Court on date SEPTEMBER 16, 2019.

Learned Advocate Mr. M. S. PATHAN for the PLAINTIFFS .

Learned Advocate Mr. P. F. CHAUHAN for the DEFENDANT NO. 1.

Learned Advocate Mr. S.T. PATELIYA for the DEFENDANT NO. 2 TO 4

Drawn by

Compared by

(M.P. GOSWAMI)

(B. A. PARMAR)

(B. B. JADAV)

Civil Assistant

Superintendent

Principal Senior Civil Judge

Kapadwanj

(અ.૨૦, ડા.૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE SHRI B.B.JADAV
AT: KAPADWANJ, DISTRICT: KHEDA

Special Civil Suit no - 97/2017
Old SPCS No. 130/2015

Registration No: 130/2015
Registered On: 26-10-2015
Decided On: 17-09-2019
Exhibit No: 65

PLAINTIFF:

Bharatkumar Manilal Patel Through
Power of Attorney Jaiminkumar Ranchhodbhai Patel
Residing at Antroli, Mukhi Faliyu, Ta. Kapadwanj, District - Kheda.

DEFENDANT:

Kuberbhai Kalabhai Raval
Residing at - Ravalvas, Antroli, Ta. Kapadwanj, District - Kheda.

SUBJECT: Suit for Specific Performance and Declaration and Permanent Injunction.

APPEARANCE:

Learned Advocate Mr. M. A. PATEL for the PLAINTIFF .
Learned Advocate Mr. K. N. PATEL for the DEFENDANT.

Brief facts giving rise to present petition are as under :-

1. Plaintiff has filed present suit against the defendant for the Declaration & Permanent Injunction and damages of Rs. 25,000/- Against the defendant in respect of disputed suit property bearing Survey No.825/2/1 Ad-measuring H-0-59-69 R.A. situated in the Sim of Village Antroli, Ta. Kapadwanj, District - Kheda.

2. It is the say of the plaintiff that he is the absolute owner and in possession of the disputed land and cultivating the land and taking agricultural produce from it and he has grown Eucalyptus and Ardusee trees in his field. Further, it is the say of the plaintiff that he has purchased and disputed land from the original landlord by virtue of registered sale deed No. 248/90 dated 26-03-1990 since then he is become absolute owner and having possession over it and in lieu of the registered sale deed, plaintiffs name also mutated in revenue records. Further, it is the say of the plaintiff that defendant mortgage with possession the land bearing Survey No. 825/1 adjoining to his land in the year of 1994 and then after defendant has given oral sale of his 60- Gunthas land to the plaintiff and obtained the sale price in pieces from the plaintiff. Further, it is the say of the plaintiff that the mortgage money which requires to be paid by the defendant and to avoid the payment, defendant has denied to execute registered sale deed in favor of plaintiff and threaten the administrator of plaintiff to vacate the possession of the land bearing Survey No. 825/1. Further, defendant has also cut off the Eucalyptus and Ardusee Trees about 400 number. Thus, defendant has theft said trees and for that he has filed complaint against the defendant where Executive Magistrate relief the defendant after taking surety

and bond then after, defendant has continued his illegal activity and threaten to trespass in the plaintiffs possession for that present suit is filed for the declaration and permanent injunction against the defendant.

ORDER

1. The present suit preferred by plaintiff is hereby partly allowed.
2. Further, defendant is hereby permanently restrain from obstructing in plaintiff possession over the disputed land bearing Survey No. 825/1 Ad-measuring H-0-59-69 R.A. situated in the sim of Village Antroli, Ta. Kapadwanj, district - Kheda.
3. Further, the counter claim preferred by defendant is hereby partly allowed and the plaintiff hereby order to restrain permanently from obstructing defendant's possession over the disputed land bearing Survey No. 825/1 Ad-measuring H-0-90-04 situated in the Sim of village Antroli, Ta. Kapadwanj, District - Keda.
4. No order to cost.
5. The copy of this Judgment be kept below Exhibit 14 counter claim.

s/d

KAPADWANJ

(Bharat Bhaskarbhai Jadav)

Date: 17/09/2019

Principal Senior Civil Judge, Kapadwanj.

Code No. GJ-00714

Page - 3

SPCS - 97/2017

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	13,500/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	08/-
Pleader's Fee	900/-	Pleader's Fee	900/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	14,415/-	TOTAL	910/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	16865/-	Final Amount	910/-

Given under my hand & seal of the Court on date SEPTEMBER 17, 2019.

Learned Advocate Mr. M. A. PATEL for the PLAINTIFF .
Learned Advocate Mr. K. N. PATEL for the DEFENDANT.

Drawn by

Compared by

(M.P. GOSWAMI)
Civil Assistant

(B. A. PARMAR)
Superintendent

(B. B. JADAV)
Principal Senior Civil Judge
Kapadwanj

(સ.મુ.વ.) - ૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭
{G.P.C.Schedule, IpAppr.D.No.1}

Page - 1

Civ.A.37g.

FINAL DECREE

(અ.૨૦, ૫૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE SHRI B.B.JADAV
AT: KAPADWANJ, DISTRICT: KHEDA

Regular Civil Suit no - 43/2011

Registration No: 43/2011

Registered On: 25-02-2011

Decided On: 03-10-2019

Exhibit No: 130

PLAINTIFF:

1. Pravinbhai Narmadashankar Pandya

Legal Heirs of Late Pravinbhai Narmadashankar Pandya.

1. Kusumben widow of Pravinbhai Pandya

2. Jayeshbhai Pravinbhai Pandya

3. Anjanaben Pravinbhai Pandya

4. Meenaben Pravinbhai Pandya

5. Pannaben Pravinbhai Pandya

6. Pankajbhai Pravinbhai Pandya

All Residing at Nirmali Opposite Dairy, Ta. Kapadwanj, District - Kheda.

DEFENDANT:

1. Bhagatbhai Narsinhbhai Patel

2. Mahendrabhai Bhagatbhai Patel

3. Chandrakantbhai Bhagatbhai Patel

4. Vitthalbhai Narsinhbhai Patel

5. Jayeshbhai Vitthalbhai Patel

All Residing at Nirmali Opposite Dairy, Ta. Kapadwanj, District - Kheda.

SUBJECT: Suit for Declaration and Permanent Injunction.

APPEARANCE:

Learned Advocate Mr. P. F. CHAUHAN for the PLAINTIFFS .
Learned Advocate Mr. M. R. TRIVEDI for the DEFENDANTS.

Page No. 2

RCS 43/2011

Brief facts giving rise to present petition are as under :-

1. Plaintiff have filed present suit against the defendants for the Declaration and Permanent Injunction in respect of disputed place situated on the Northern Side of House Nos. 585 and 798. Further, it is pertinent to note that present suit filed by plaintiff Pravinbhai Narmadashakar Pandya who died during the pendency of suit for the his legal heirs came on record and proceeded with the suit in accordance with law.

2. It is the say of the plaintiff that in Village Nirmali Panchayat House Nos. 798 and 585 are situated adjoining to each other and both the Houses are absolutely in the ownership and possession of the plaintiff since long-long time. Further, it is the say of the plaintiff that he is residing with his family in the both the houses and also enjoying easementary right of light and air. Further, it is the say of the plaintiff that defendants have not any right, title, interest though defendants have illegally put windows on the Eastern Side Plaintiff's property where his open land (Gharthal) land situated and try to create new right of way from the passage (Navera) situated after the open land, plaintiffs on the Northern Side and also create nuisance by passing drainage from this passage. Further, it is the say of the plaintiff that defendants have already available R.C.C Road on the Western Side their House through they have threaten him and by to create new rights in the plaintiffs property for that present suit is filed for the Declaration and Permanent Injunction.

ORDER

- 1. The present suit preferred by plaintiff is hereby rejected.**
- 2. Plaintiff is order to bear his own cost and also bear the cost of the defendants.**

KAPADWANJ

(Bharat Bhaskarbhai Jadav)

Date: 03/10/2019

Principal Senior Civil Judge, Kapadwanj.

Code No. GJ-00714

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paise		Rupees- Paise
Stamp on Exhibit -1	100/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	08/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	190/-	TOTAL	85/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	190/-	Final Amount	85

Given under my hand & seal of the Court on date OCTOBER 03, 2019.

Learned Advocate Mr. P. F. CHAUHAN for the PLAINTIFFS .
Learned Advocate Mr. M. R. TRIVEDI for the DEFENDANTS.

Drawn by

Compared by

(B. A. PARMAR)

(B. B. JADAV)

Civil Assistant

Superintendent

Principal Senior Civil Judge
Kapadwanj

(સા.પુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(અા.૨૦, ડા.૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE SHRI B.B.JADAV

AT: KAPADWANJ, DISTRICT: KHEDA

Regular Civil Suit no - 75/2011

Registration No: 75/2011

Registered On: 18-04-2011

Decided On: 03-10-2019

Exhibit No: 96

PLAINTIFFS:

1. Parmar Chinubhai Babubhai
2. Parmar Manubhai Babubhai
3. Parmar Shaileshbhai Babubhai
4. Parmar Chetanaben Babubhai

All Residing at - Mochivada, Kapadwanj, District - Kheda.

DEFENDANTS:

1. Dhanjibhai Bhailalbai Parmar
2. Vinodbhai Dhanjibhai Parmar

Both Residing at - Mochivada, Kapadwanj, District - Kheda.

SUBJECT: Suit for Removable of Construction and Permanent Injunction.

APPEARANCE:

Learned Advocate Mr. Y. B. JOSHI for the PLAINTIFFS .

Learned Advocate Mr. J. M. CHAUHAN for the DEFENDANTS.

Brief facts giving rise to present petition are as under :-

1. Plaintiffs have filed present suit against the defendants for the Removable of Construction carried out on Western Side of City Survey Property No. 2303 and also asked for the Permanent Injunction.

2. It is the say of the Plaintiffs that they are having possession and ownership of City Survey Property No. 2303 Ad-measuring H-16-72-26 Square meters. Further, it is the say of the plaintiffs that defendants having city survey property no. 2304 situated on the western side of plaintiffs property. Further, it is the say of the plaintiffs that defendants

Page no 2

RCS 75/2011

illegally put windows and door on the northern side of his property on the public way and carried out obstruction in the usages of public way of plaintiffs and other resident of Mochivada prior to six (6) months ago and with this illegal act. Defendants have created nuisance and damage the easementary rights of plaintiffs for the plaintiffs have repeatedly asked defendants but, they denied and threaten plaintiffs for that present suit is filed against the defendants for the removable of illegal construction and permanent injunction.

ORDER

1. The present suit preferred by plaintiffs is hereby rejected.
2. Plaintiffs are order to bear their own cost and also bear the cost of the defendants.

s/d

KAPADWANJ

(Bharat Bhaskarbhai Jadav)

Date: 03/10/2019

Principal Senior Civil Judge, Kapadwanj.

Code No. GJ-00714

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	100/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	18/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	195/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	195/-	Final Amount	90

Given under my hand & seal of the Court on date OCTOBER 03, 2019.

Learned Advocate Mr. Y. B. JOSHI for the PLAINTIFFS .
Learned Advocate Mr. J. M. CHAUHAN for the DEFENDANTS.

Drawn by

Compared by

(B. A. PARMAR)

(B. B. JADAV)

Civil Assistant

Superintendent

**Principal Senior Civil Judge
Kapadwanj**

FINAL DECREE

(અ.૨૦, ૫૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

**IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE SHRI B.B.JADAV
AT: KAPADWANJ, DISTRICT: KHEDA**

Regular Civil Suit no - 111/2012

Registration No: 111/2012

Registered On: 12-12-2012

Decided On: 21-09-2019

Exhibit No: 84

PLAINTIFF:

Anilkumar Dinubhai Sevak

All Residing at - Vaghjipur, Kapadwanj, District - Kheda.

DEFENDANTS:

1. Chhadiben Chhabaji Parmar

2. Rajuben Chhabaji Parmar

Both Residing at - Vaghjipur, Kapadwanj, District - Kheda.

3. Mukeshbhai Nandubhai Patel

Residing at - Hari Vallabh society Naroda, Raipur Bhajiya House, Ahmedabad.

4. Mukeshbhai Babulal Vyas

Residing at - Panchalni Khadaki, Naroda, Ahmedabad.

5. Dilipbhai Harjivandas Rupareliya

6. Bhavesh dilipbhai Rupareliya

7. Viral Dilipbhai Rupareliya

Defendants no. 5 to 7 Residing at 86/B, Heritage Bungalow, opposite science city,
Science city road Sola, Ahmedabad.

**SUBJECT: Suit for Specific Performance and Permanent Injunction Cancellation
of Registered Sale Deed.**

APPEARANCE:

Learned Advocate Mr. B.R. PATEL for the PLAINTIFF.

Learned Advocate Mr. H.M. JOSHI for the DEFENDANT No. 1 & 2.

Learned Advocate Mr. J.B. MARVADI for the DEFENDANT No. 3 & 4.

Learned Advocate Mr. F.M. MIRZA for the DEFENDANT Nos. 6 TO 7

No Appearance on behalf of defendant No. 5.

Brief facts giving rise to present petition are as under :-

1. Plaintiff has filed present suit against the defendants for the Specific Performance & Permanent Injunction and also for the cancellation of Registered Sale Deed in respect of disputed land bearing Survey No. 12 Ad-measuring H-0-53-62 RA. and land bearing survey No. 12/1 Ad-measuring H-0-87-01 RA. situated in the Sim of Village Bhobha, Ta - Kapadwanj. Further, it is the say of the plaintiff that defendant Nos. 1 and 2 have decided to sale both the disputed property to the defendant Nos. 3 and 4 in the consideration of Rs. 28,00,000/- and also paid earnest amount of Rs. 1,51,000/- and executed agreement to sale on date 18-04-2011 on the stamp of Rs. 100/-. Further, it is the say of the plaintiff that defendant Nos. 1 and 2 have also handed over possession to the defendant Nos. 3 and 4 on the date of execution of agreement to sale since then defendant Nos. 3 and 4 having possession over the disputed land. Further, it is the say of the plaintiff that defendant Nos. 3 and 4 sale the disputed land to the plaintiff, in lieu of agreement to sale dated 18-04-2011 in the consideration of Rs. 28,00,000/- from the plaintiff and also execute agreement to dale on date 20-04-2011 in favor of plaintiff by defendant Nos. 3 and 4 in the presence of Notary Public V. C. Patel Further, it is the say of the plaintiff that they have decided to execute registered sale deed after the title clearance of the disputed land. Further, it is the say of the plaintiff that defendant Nos. 1 and 2 have further, decided to sale the disputed property to the defendant No. 5 and for that published public notice on date 22-11-2012 in the Daily Newspaper of Div Bhaskar against which plaintiff has submitted his objection for that present suit is filed against the defendants. Further, it is pertinent to note that during the pendency of suit the disputed property sold that during the pendency of suit the disputed property sold by defendant Nos. 1 and 2 in favor of defendant Nos. 6 and & by registered sale deed on date 26.10.2015 and the same parties join as a defendant in present case on hand and the necessary amendment also carried out in the plaint in respect of prayer sought for cancellation alleged registered sale deed No. 2182 dated 26.10.2015. Thus, the plaintiff raise for the cancellation of above alleged registered sale deed also asked for the Specific Performance and Permanent Injunction of disputed properties.

Page no 3

RCS 111/2012

ORDER

- 1. The present suit preferred by plaintiffs is hereby rejected.**
- 2. Further, it is order to the plaintiff and defendant Nos. 3 and 4 to pay up cost of Rs. 10,000/-(Ten Thousand Only) by each one in the District Legal Service Authority, Kheda at Nadiad within 15 days from this order.**
- 3. Plaintiff is order to bear their own cost and also bear the cost of the defendant Nos. 1 and 2 and 6 and 7.**

s/d

KAPADWANJ
Date: 21/09/2019

(Bharat Bhaskarbhai Jadav)
Principal Senior Civil Judge, Kapadwanj.
Code No. GJ-00714

Page - 4

RCS - 111/2012

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	100/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	18/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	1500/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	1695/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-

Final Amount	1695/-	Final Amount	90
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Given under my hand & seal of the Court on date OCTOBER 03, 2019.

Learned Advocate Mr. B.R. PATEL for the PLAINTIFF.
Learned Advocate Mr. H.M. JOSHI for the DEFENDANT No. 1 & 2.
Learned Advocate Mr. J.B. MARVADI for the DEFENDANT No. 3 & 4.
Learned Advocate Mr. F.M. MIRZA for the DEFENDANT Nos. 6 TO 7
No Appearance on behalf of defendant No. 5.

Drawn by
Civil Assistant

Compared by
(B. A. PARMAR)
Superintendent

(B. B. JADAV)
Principal Senior Civil Judge
Kapadwanj

(સા.મુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭
{G.P.C.Schedule, IpAppr.D.No.1}

Page - 1

Civ.A.37g.

FINAL DECREE

(અ.૨૦, ૫૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF ADDITIONAL SENIOR CIVIL JUDGE SHRI A. M. VASAVA
AT: KAPADWANJ, DISTRICT: KHEDA

Regular Civil Suit no - 133/2007

Registration No: 133/2007
Registered On: 13-12-2007
Decided On: 21-10-2019
Exhibit No: 118

PLAINTIFFS:

1. Hiraba Raghunathsing Gohil
2. Jayeshkumar Indrasingh Rathod

Both Residing at - Dhuletilat, Tabe - Antisar, Ta - Kapadwanj, District - Kheda.

DEFENDANTS:

1. Maganbhai Naranbhai Patel
2. Janaksinh Raghunathsingh Gohil

Both Residing at - Dhuletilat, Tabe - Antisar, Ta - Kapadwanj, District - Kheda.

SUBJECT: Suit for Declaration and Permanent Injunction.

APPEARANCE:

Learned Advocate Mr. R. R. TRIVEDI for the PLAINTIFFS.
Learned Advocate Mr. S. A. PATEL for the DEFENDANTS.

Brief facts giving rise to present petition are as under :-

1. Plaintiffs having agricultural land of their ancestors. Defendant No. 1 is neighbor of plaintiffs, defendant No. 2 is brother of plaintiff No. 2. Plaintiffs ancestor having agriculture land bearing Survey No. 143 paikee situated at Tabe - Antisar Village (hereinafter refer to as 'disputed property'). According to the family arrangements of plaintiffs ancestor one share of the disputed property came on the plaintiffs. Since then, plaintiffs cultivating the land and taking the out put from the land. Plaintiffs having sole and independent possession of disputed property since last 40 years bacvk. Originally this property belongs to father of plaintiff No. 1 Late Raghunathsinh Vajesingh Gohil and prevails in revenue records also. After the demise of Raghunathsinh Vajesinh disputed Property runs in the name of Janaksinh Raghunathsinh i.e. defendant No. 2 in

Page - 2

RCS - 133/2007

revenue records. Plaintiffs are cultivating the land and enjoys all easementary rights since long. Plaintiffs having right to use of passage from agriculture land of defendant No. 1 bearing Survey No. 116. Plaintiffs having the right of passage from the corner of Western South Sides near about 300 to 400 feet. Plaintiffs are using this passage since their ancestor, therefore, plaintiffs having the easementary rights to enjoy the use of own property. However, on 12.12.2007 defendant No. 1 was prohibited plaintiff No. 2 to enter in his property and shouting and speaking bad words. Therefore, plaintiff No. 2 has filed a complaint against defendant No. 1. Plaintiffs having the easementary rights of the use of passage for which defendants having no right to prohibit the plaintiffs. Therefore, plaintiffs have to file this suit.

ORDER

- 1. The present suit preferred by plaintiff is hereby allowed.**
- 2. This Court hereby prohibit the defendant no. 1 not to interfere directly or through assignee or agent or by any means with the use of passage by the plaintiffs passed form south-western corner side of survey no. 116 situated at Antisar Village, Ta. Kapadwanj, Distict - Kheda.**
- 3. No order as to cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 21/10/2019

Additional Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	100/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	18/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	650/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	845/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	845/-	Final Amount	90

Given under my hand & seal of the Court on date October 21, 2019.

Learned Advocate Mr. R. R. TRIVEDI for the PLAINTIFFS.
Learned Advocate Mr. S. A. PATEL for the DEFENDANTS.

Drawn by

Compared by

(M. P. GOSWAMI)

(M.P. GOSWAMI)

(A. M. VASAVA)

Civil Assistant

I/C Superintendent

Additional Senior Civil Judge

Kapadwanj

(સ.મુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, ૫૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE SHRI A. M. VASAVA
AT: KAPADWANJ, DISTRICT: KHEDA

Regular Civil Suit no - 62/2012

Registration No: 62/2012
Registered On: 17-05-2012
Decided On: 21-11-2019
Exhibit No: 130

PLAINTIFFS:

Dilipbhai Babubhai Modi

Residing at :- Modiyani Khadaki Dalalvada, Ta. Kapadwanj, District - Kheda.

1. Chandraben Babulal Modi.
2. Kiritkumar Babulal Modi.
3. Pankaj Babulal Modi.
4. Varshaben widow of Shankarkumar Babulal Modi.
5. Umangkumar Shaileshkumar Modi.
6. Ishitaben Shaileshkumar Modi.
7. Bhartiben Kumarpal Shah.
8. Gheetaben Babulal Modi (Power of Attorney Holder for Plaintiff Nos. 1 to 8)

DEFENDANTS:

1. Rameshchandra Chandulal Shah

Residing at Undapada Lambisheri, Near Hanuman Mandir, Ta. Kapadwanj, Dist Kheda.

SUBJECT: Suit for Recovery of Possession.

APPEARANCE:

Learned Advocate Mr. S. B. RATHOD for the PLAINTIFF.

Learned Advocate Mr. B. H. MALEK for the DEFENDANT.

Brief facts giving rise to present petition are as under :-

1. Plaintiff Nos. 1 to 8 have given Power of Attorney to the plaintiff No. 9 for property bearing Kapadwanj City Survey NO. 4079 Ad-measuring 20-93-32 (hereinafter refer to as disputed property) According to plaintiffs, plaintiff Nos. 1 to 8 of owner of disputed property and having their name in revenue records. Ancestor of plaintiffs have given

Page 2

RCS 62/2012

disputed property on rent basis of Rs. 40/- per month to the defendant on certain terms and conditions. Terms and conditions are as follow:-

1. Defendant must be paid the rent from 1 to 5 of every month.
2. Nagarpalika Tax borne by the defendant.
3. Defendant must hand over the vacant possession to the owner as and when required.
4. Light bill must be bear by the defendant.
5. Defendant do not sub-let the rented property.

2 Defendant has obtained the disputed property on the above terms and conditions near about 40 years back. Defendant has not paid rent from 01.04.2009 to 29.02.2012 approximate total 35 moths to the ancestor of the plaintiffs. Since then, tenancy came to an end. Moreover, plaintiffs having necessary of the disputed property for his own use being

plaintiffs get retired. Therefore, plaintiffs have given notice through his advocated on dated 25.03.2012 to the defendant which was served to the defendant on dated 27.03.2012. Defendant has give vague reply on 30.03.2012 through his advocate. Therefore, plaintiffs have to file this suit for recovery of possession of disputed property.

ORDER

1. **The present suit preferred by plaintiff is hereby allowed.**
2. **This Court is hereby order to the defendant to hand over the silent and peaceful possession to the plaintiff of property bearing City Survey No. 4079 Ad-measuring 20-96-32 Sq. Mt. situated at Kapad Bazar, Ta. Kapadwanj, District Kheda. within ten (10) days from the order of this Court.**
3. **Further, defendant is hereby order to pay the rent of Rs. 40/- per month i.e. in total Rs. 3600/- (Thirty Six Hundred Only) to the plaintiff from the date of institution of the present suit till the date of disposal of the present suit.**
4. **Further, defendant is hereby order to pay the cost of Rs. 2500/- of this suit to the plaintiff.**
5. **No order to cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 21/11/2019

Principal Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Page - 3

RCS - 62/2012

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	200/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	18/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	295/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00
Final Amount	295/-	Final Amount	90/-

Learned Advocate Mr. S. B. RATHOD for the PLAINTIFF.

Learned Advocate Mr. B. H. MALEK for the DEFENDANT.

Given under my hand & seal of the Court on date November 21, 2019.

Drawn by	Compared by	
(M. P. GOSWAMI)	(B. A. PARMAR)	(A. M. VASAVA)
Civil Assistant	I/C Superintendent	Principal Senior Civil Judge
		Kapadwanj

(સા.પુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭
{G.P.C.Schedule, IpAppr.D.No.1}

Page - 1

Civ.A.37g.

FINAL DECREE

(આ.૨૦, ૫૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE SHRI A. M. VASAVA
AT: KAPADWANJ, DISTRICT: KHEDA

Regular Civil Suit no - 142/2006

Registration No: 142/2006
Registered On: 13-08-2006
Decided On: 20-11-2019
Exhibit No: 76

PLAINTIFFS:

1. Dhanabhai Bhulabhai Patel.

Residing at - Nanizer Kapadwanj, Ta. Kapadwanj, District Kheda.

DEFENDANTS:

1. Thakor Ramabhai Dhayabhai.

2. Ramanbhai Dhayabhai Thakor.

3. Savitaben Dhayabhai Thakor.

4. Kaliben Dhayabhai Thakor.

All Residing at - Dada Na Muvada, Kapadwanj, Ta. Kapadwanj District Kheda.

SUBJECT: Suit for Declaration and Permanent Injunction.

APPEARANCE:

Learned Advocate Mr. B. R. PATEL for the PLAINTIFF.

Learned Advocate Mr. M. Y. MALEK for the DEFENDANTS.

Brief facts giving rise to present petition are as under :-

1. Plaintiff having agriculture land bearing Survey No. 54/13 Ad-measuring H-0-08 acre Gunthas situated at dada Na Muvada Village, Ta. Kapadwanj, District Kheda (herinafter refer to as disputed property). According to plaintiff ancestors of defendants name Thakor Dhayaji Chhaganji has executed conditional sale of disputed property to the

present plaintiff against consideration of Rs. 350/- date 31-05-1969. Along with the rights of well situated in the disputed property for four (4) years. According to the mortgage deed if, the executor of the deed did not repay of the amount of Rs. 350/- within the time of four (4) years then plaintiff became the owner of the disputed property and have all the title rights. Defendants ancestors Thakor Dhayaji Chhaganji has

Page 2

RCS 142/2006

executed conditional sale deed in favor of the plaintiff dated 31.05.1969 and which was registered at Kapadwanj Sub-registrar Office vide Registration No. 369 Thakor Dhayaji Chhaganji has handover the possession of the disputed property to the plaintiff and since then, plaintiff cultivating the land and taking the outcome. Moreover, plaintiff has paid all the revenues for the disputed property. Thakor Dhayaji Chhaganji did not pay the amount of Rs. 350/- as per the terms & conditions of conditional sale deed No. 369 dated 31.05.1969. Therefore, now defendants of this case do not have any right or title over the disputed property. Then after, plaintiff has applied for mutation office name in revenue records for which Talati-cum-Mantri Shri has inserted entry No. 516 against which present defendants have filed by objections. Then after, case No. 24/2006 adjudicate in Mamlatdar Office, Kapadwanj dated 09-10-2006 in which entry No. 516 was confirmed. Then after, defendants got agree and in the heat of passion suddenly came to the plaintiff house on dated 10.10.2006 at nearly at 10 to 11 p.m. along with the groups of people nearly 25 to 30. And trespass under the property of the plaintiff and threaten to the plaintiff and cause damage to the agriculture product, against that plaintiff has filed complaint against all the defendants. Defendants of this suit have no right or interest over the disputed property but, defendants trying to dispossess the plaintiff by taking law into their hands. Therefore, plaintiff has to file this suit.

ORDER

- 1. The present suit preferred by plaintiff is hereby rejected.**
- 2. The present counter claim preferred by the defendants is hereby rejected.**
- 3. No order as to cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 20/10/2019

Principal Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	200/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	18/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	700/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	995/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	845/-	Final Amount	90

Learned Advocate Mr. B. R. PATEL for the PLAINTIFF.

Learned Advocate Mr. M. Y. MALEK for the DEFENDANTS.

Given under my hand & seal of the Court on date November 20, 2019.

Drawn by

Compared by

(M. P. GOSWAMI)

(B. A. PARMAR)

(A. M. VASAVA)

Civil Assistant

Superintendent

Principal Senior Civil Judge

Kapadwanj

(સા.મુ.વ.) -3૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, ડા.૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF ADDITIONAL SENIOR CIVIL JUDGE SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No - 49/2013

Registration No: 49/2013

Registered On: 03-08-2013

Decided On: 14-10-2019

Exhibit No: 91

PLAINTIFFS:

Legal Heirs of Late Ganeshbhai Dhulabhai

1. Vinubhai Ganeshbhai Rohit.
2. Jayantibhai Ganeshbhai Rohit.
3. Kishorbhia Ganesbhai Rohit.
4. Jashiben Ganeshbhai Rohit.
5. Manjiben Ganeshbhai Rohit.
6. Ranjanben Ganeshbhai Rohit.
7. Kalidas Hirabhai Rohit.
8. Amratbhai Hirabhai Rohit.
9. Pravinbhai Hirabhai Rohit.
10. Jagdishbhai Hirabhai Rohit.
11. Valiben Hirabhai Rohit.
12. Rupaben Hirabhai Rohit.
13. dahiben Hirabhai Rohit.
14. Kodiben Dhulabhai Rohit.
15. Paniben Dhulabhai Rohit.
16. Jethbhia Bhulabhia Rohit.

Plaintiff No. 1 to 16 residing at Nani Zer, Ta. Kapadwanj, District Kheda.

Legal Heirs of Lae Ramanbhai Maganbhai.

17. Jashiben Ramanbhai Rohit.
18. Pradipbhai Ramanbhai Rohit.
19. Shanabhai Dhulabhai Rohit
20. Taraben Maganbhai Rohit.
21. Narsinhbhai Maganbhai Rohit
22. Ratanben Maganbhai Rohit.
23. Mujjibhai Maganbhai Rohit.

Residing at - Nanizer Kapadwanj, Ta. Kapadwanj, District Kheda.

24. Ambalal Khanabhai Rohit.

Residing at - Amodara, Ta. Kapadwanj, District - Kheda.

Page - 2

RCS - 49/2013

DEFENDANTS:

Legal Heirs of Late Chandaji Khatuji.

1. Bhathibhia Chandaji Zala.
2. Maheshbhai Chandabhai Zala.
3. Hajiben Widow of Chandaji Zala.

All Residing at - Naizer, Ta. Kapadwanj, District - Kheda.

SUBJECT: Suit for Cancellation and declaration.

APPEARANCE:

Learned Advocate Mr. F.F. PATHAN for the PLAINTIFFS.
Learned Advocate Mr. S.A. PATEL for the DEFENDANTS.

Brief facts giving rise to present petition are as under :-

1. Plaintiffs have filed present suit for Cancellation of Document and Declaration. According to the plaintiffs, all plaintiffs are belong to same family and brother/sisters, according to plaintiffs, plaintiffs ancestor having property bearing Survey No. 39/3 Ad-measuring H-0-14-16 and another Survey No. 40/3 Ad-measuring H-0-14-16 at Nanizer Village (hereinafter refer to as disputed property). Plaintiff's ancestor having independent lawful possession over the disputed property and cultivating the property succeeded by

the present plaintiffs. Since then, plaintiffs having sole and peaceful possession over the disputed property. Plaintiff No. 1, 8, 19 and 24 never executed a registered sale deed in favour of defendants ancestor. Moreover, plaintiffs name were prevail in revenue records still today. But, defendants were fraudulently obtaining the signature/thumb impression for executing registered sale deed No. 12/1997. On Basis of that registered sale deed defendants applied in revenue records for mutation entry No. 2501 which came to notice of the plaintiffs. Then, after plaintiffs filed the objection against that entry. Plaintiffs never executing registered sale deed in favour of the defendants ancestor. Moreover, defendants having mala fide intention to encroach the property of plaintiffs without having any lawful right over the disputed property. Therefore, plaintiffs have filed this suit.

Page - 3

RCS - 49/2013

ORDER

1. The present suit preferred by plaintiff is hereby allowed.
2. This Court hereby cancelled the registered sale deed No. 12/1997 dated 03.01.1997 for property bearing Survey No. 39/3 Ad-measuring H-0-14-16 and Survey No. 40/3 Ad-measuring H-0-14-16 situated at Nanizer Village, Ta. Kapadwanj, District Kheda.
3. This Court hereby declare that defendants have no right or interest over the property bearing Survey No. 39/3 Ad-measuring H-0-14-16 and Survey No. 40/3 Ad-measuring H-0-14-16 situated at Nanizer village, Ta. Kspadwanj, District - Kheda.
4. No order as to cost.

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 14/10/2019

Additional Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	700/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	18/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	795/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	795/-	Final Amount	90/-

Learned Advocate Mr. F.F. PATHAN for the PLAINTIFFS.

Learned Advocate Mr. S.A. PATEL for the DEFENDANTS.

Given under my hand & seal of the Court on date OCTOBER 14, 2019.

Drawn by

Compared by

(J.R. GANDHI)

(A. M. VASAVA)

Civil Assistant

Superintendent

Additional Senior Civil Judge

Kapadwanj

FINAL DECREE

(અો.૨૦, ડા.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

**IN THE COURT OF ADDITIONAL SENIOR CIVIL JUDGE SHRI A. M. VASAVA
AT: KAPADWANJ, DISTRICT: KHEDA**

RCS (OM) No - 101/2012

Registration No: 101/2012

Registered On: 06-10-2012

Decided On: 21-10-2019

Exhibit No: 35

PLAINTIFFS:

1. Rasidbhai Mohammadbhai Mansuri.
2. Rukiyaben w/o Rasidbhai Mohammadbhai Mansuri.

Residing at - House No. 224 Near Chabutari, Narsinhpur Village,

Ta. Kapadwanj, District - Kheda.

DEFENDANTS:

1. Narsinhpur Gram Panchayat.

Office Address: Narsinhpur Gram Panchayat Office, Ta. Kapadwanj, District Kheda.

SUBJECT: Suit for Permanent Injunction.

APPEARANCE:

Learned Advocate Mr. I.M. MAKEK for the PLAINTIFFS.

Learned Advocate Mr. H.H. MALEK for the DEFENDANT.

Brief facts giving rise to present petition are as under :-

1. Plaintiffs have filed present suit for the Declaration and Permanent Injunction of this suit. According to the plaintiffs, plaintiffs having Gram Panchayat Property No. 224 situated at Narsinhpur village, Ta. Kapadwanj, District - Kheda (hereinafter refer to as disputed property'). Plaintiff No. 1 obtained disputed property by way of succession. Initially there were one non - R.C.C. House on disputed property. Then after, near about 20 years back, plaintiff No. 1 has constructed R.C.C. House on disputed property within the mits & bounds. Moreover, defendant is Narsinhpur Gram panchayat and performing the function of local body. Plaintiff No. 1 has constructed the house within the measurement of the disputed property. But, Sarpanch of Narsinhpur Gram Panchayat only to harass the plaintiff showing them encroachment of plaintiff near about 8 to 10

feet on western side of the public road. Moreover, Sarpanch of Narsinhpur Gram Panchayat has given illegal notice dated 03.09.2012 to remove the encroachment. But, plaintiff did not reply the notice. Then after, again Narsinhpur Gram Panchayat given notice dated 18.09.2012. Then after, plaintiff went to Narsinhpur Gram Panchayat on 20.09.2012 and discussed about the property. But, Sarpanch Shri did not understand and suddenly out of grave provocation threaten the plaintiff that, "I will demolish your property". Plaintiff is the owner of the disputed property and not constructed any construction outside the boundary of the disputed property but, plaintiff trying to take

political revenge against the plaintiff has the plaintiff without any cause of action. Therefore, plaintiff has to file this suit.

ORDER

1. The present suit preferred by plaintiff is hereby partly allowed.
2. This Court hereby prohibit the defendant not to interfere with the possession or enjoyment of the plaintiffs property bearing Narsinhpur Gram Panchayat Property No. 224 situated at Narsinhpur, Ta. Kapadwanj, District - Kheda without any due process of Law.
3. No order as to cost.

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 21/10/2019

Additional Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	110/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	18/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	205/-	TOTAL	90/-
Expense not paid by	00	Expense not paid by	00/-

Plaintiff		Defendant	
Final Amount	205/-	Final Amount	90/-

Learned Advocate Mr. I.M. MALEK for the PLAINTIFFS.
Learned Advocate Mr. H. H. MALEK for the DEFENDANTS.

Given under my hand & seal of the Court on date OCTOBER 14, 2019.

Drawn by

Compared by

(J.R. GANDHI)
Civil Assistant

Superintendent

(A. M. VASAVA)
Additional Senior Civil Judge
Kapadwanj

(સા.પુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(અ.૨૦, ૫૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF ADDITIONAL SENIOR CIVIL JUDGE SHRI A. M. VASAVA
AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No - 91/2015

Registration No: 91/2015

Registered On: 12-10-2015

Decided On: 18-10-2019

Exhibit No: 77

PLAINTIFFS:

Hasmukhbhai Somabhai Thakor

Residing at : Mohammadpura, Ta. Kapadwanj, District - Kheda.

DEFENDANTS:

1. Kapadwanj Nagarpalika,

(Notice of Defendant Served through Chief - Officer of Kapadwanj Nagar Sevasadan)

Office address:- Kapadwanj Nagar Sevasadan Office, Ta. Kapadwanj, District - Kheda.

SUBJECT: Suit for Permanent Injunction.

APPEARANCE:

Learned Advocate Mr. D.P. THAKOR for the PLAINTIFF.

Learned Advocate Mr. G.H. UPADHAYAY for the DEFENDANT.

Brief facts giving rise to present petition are as under :-

1. Plaintiff has filed present suit for the Declaration and Permanent Injunction of this suit. According to the plaintiff, plaintiff having open land property bearing Kapadwanj

City Survey No. 1571(hereinafter refer to as 'disputed property') as independent ownership. Plaintiff has purchased disputed property from his true owner Saileshbhai Manuprasad Trivedi on 22.02.2009 by agreement to sale. Since then, plaintiff having the independent and sole possession of the disputed property. According to the rules and regulations, plaintiff has applied for sanction to the Collector Shri Nadiad, in 2017. But, that application was still pending and that information was also conveyed to the defendant. But, defendant without lawful right trying to dispossess the plaintiff without due process of law. Plaintiff is paying all the revenue taxes of the disputed property. Moreover, plaintiff has constructed two (Chullas) for his livelihood on 24.09.2014 and

Page 2

RCS 91/2015

one toilet constructed for household use and kept free wooden sticks for use to burn. But, defendant keeping in mind a mala fide intention entered into the plaintiff property and cause damages of Rs. 25,000/- Then after, on 05.10.2015 defendant has given illegal notice to the plaintiff. Then after, plaintiff has gone to the defendant's office and requesting orally not to harass him without any cause of action. But, defendant was not considered the request. Therefore, plaintiff has to file this suit.

ORDER

- 1. The present suit preferred by plaintiff is hereby partly rejected.**
- 2. Plaintiff hereby order to pay cost of Rs. 1,500/- (Fifteen Hundred Only) to the defendant.**
- 3. No order as to cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 18/10/2019

Additional Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	2,000/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	2090/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	2090/-	Final Amount	90/-

Learned Advocate Mr. D.P. THAKOR for the PLAINTIFF.
Learned Advocate Mr. G.H. UPADHAYAY for the DEFENDANT.

Given under my hand & seal of the Court on date OCTOBER 18, 2019.

Drawn by

Compared by

(J.R. GANDHI)

(A. M. VASAVA)

Civil Assistant

Superintendent

Additional Senior Civil Judge

Kapadwanj

(સા.શુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(આ.૨૦, કા.૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF ADDITIONAL SENIOR CIVIL JUDGE SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No - 50/2013

Registration No: 50/2015
Registered On: 02-08-2013
Decided On: 14-10-2019
Exhibit No: 67

PLAINTIFFS:

Legal Heirs of Late Laliben Jivabhai:-

1. Amratbhai Dalabhai Rohit.
2. Dalabhai Lalabhai Rohit.
3. Manabhai Kodarbhai Rohit.
4. Vinubhai Manabhai Rohit.
5. Dhaniben D/o Jivabhai Rohit.
6. Bhagatbhai Jivabhai Rohit.

Plaintiff 1 to 6 Residing at - Nanizer, Ta. Kapdwanj, District - Kheda.

6/A. Champaben Bhagabhai w/o Bhagvandas Jivabhai Rohit (Vaniya)

Residing at E-143, Prabhakar Tenament Saijpur Bodha, Ta. & District - Ahmedabad.

6/B. Pushpaben Bhagaben Bhagabhai d/o Bhagvandas Jivabhai Rohit (Vaniya)
and wife of Pravinkumar Ranchhodbhai Vaghela.

Residing at - Gujarat College Staff College Quarters Alis Bridge Bihen Ladies Hostel
Ta. District - Ahmedabad.

6/C. Manishkumar Bhagabhai @Bhagvandas Jivabhai Rohit. (Vaniya)

Residing at E- 143, Prabhakar Tenament Saijpur Bodha Ta. Dist - Ahmedabad.

6/D. PravinKumar Bhagabhai @ Bhagvandas Jivabhai Rohit. (Vaniya)

Residing at E- 143, Prabhakar Tenament Saijpur Bodha Ta. Dist - Ahmedabad.

7. Bhavanbhai @ Bharatbhai Jivabhai Rohit.

8. Govindbhai Jivabhai Rohit.

Legal Heirs of Late Kanubhai Jivabhai

9. Mahendrabhai Kanubhai Rohit.

10. Sureshbhai Kanubhai Rohit.

Residing at - Nanizer Ta. Kapadwanj, District - Kheda.

Page 2

RCS 50/2013

Legal Heirs of Late Kantibhai Jivabhai

11. Shantaben Kantibhai Rohit.

12. Rameshbhai Kantibhai Rohit.

13. Pravinbhai Kantibhai Rohit

14. Dineshbhai Kantivbhai Rohit.

Residing at Nanizer, Ta. Kapadwanj District Kheda.

DEFENDANTS:

1. Zala bhathibhai Chandabhai

Residing at - Nathana muvada, Ta. Kapadwanj, District - Kheda.

SUBJECT: Suit for Cancellation and Declaration.

APPEARANCE:

Learned Advocate Mr. F.F. PATHAN for the PLAINTIFFS.

NO. Learned Advocate for the DEFENDANT.

Brief facts giving rise to present petition are as under :-

1. Plaintiffs have filed present suit for Cancellation of Document and Declaration.

According to the plaintiffs, all plaintiffs are belong to same family and brother/sisters, according to plaintiffs, plaintiffs ancestor having property bearing Survey No. 39/4 Ad-measuring H-0-14-16 and another Survey No. 40/4 Ad-measuring H-0-15-18 at Nanizer Village (hereinafter refer to as disputed property). Plaintiff's ancestor having independent lawful possession over the disputed property and cultivating the property is peacefully. Then after the demise of ancestor property succeeded by the present plaintiffs. Since then, plaintiffs having sole and peaceful possession over the disputed property. Plaintiff has never executed a registered sale deed in favor of defendant or defendants ancestor. Moreover, plaintiffs name were prevail in revenue records still today. But, defendant was fraudulently obtaining the signature/thumb impression for executing registered sale deed No. 518/1991. On basis of that registered sale deed defendant applied in revenue records for mutation entry No. 2503 which came to notice of the plaintiffs. Then after, plaintiffs filed the objection against that entry. Plaintiffs never executing registered sale deed in favor of the defendant ancestor. Moreover, defendant having mala fide intention to encroach the property of plaintiffs without having any lawful right over the disputed property. Therefore, plaintiffs have filed this suit.

Page 3

RCS 50/2013

ORDER

- 1. The present suit preferred by plaintiff is hereby partly allowed.**
- 2. This Court hereby cancelled the registered sale deed No. 518/1991 dated 01.05.1991 for property bearing Survey No. 39/4 Ad-measuring H-0-14-16 and Survey No. 40/4 Ad-measuring H-0-15-18 situated at Nanizer village, Ta. Kapadwanj, District - Kheda.**
- 3. This Court hereby declare that defendant has no right or interest over the property bearing Survey NO. 39 Ad-measuring H-0-14-16 and Survey No. 40/4 Ad-measuring H-0-15-18 situated at Nanizer Village, Ta. Kapadwanj, District Kheda.**
- 4. No order as to cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 14/10/2019

Additional Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	500/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	590/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	590/-	Final Amount	90/-

Learned Advocate Mr. F.F. PATHAN for the PLAINTIFFS.
No Learned Advocate for the DEFENDANT.

Given under my hand & seal of the Court on date OCTOBER 14, 2019.

Drawn by

Compared by

(J.R. GANDHI)

(A. M. VASAVA)

Civil Assistant

Superintendent

Additional Senior Civil Judge

FINAL DECREE

(અ.૨૦, ડા.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF ADDITIONAL SENIOR CIVIL JUDGE SHRI A. M. VASAVA
AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No - 73/2015

Registration No: 73/2015

Registered On: 18-08-2015

Decided On: 18-10-2019

Exhibit No: 78

PLAINTIFF:

Maheshbhai Jivanlal Parikh.

Residing at Motizer Ta. Kapadwanj, District - Kheda.

DEFENDANTS:

1. Sunilbhai Chandubhai Shah.

Residing at - Present B/207, Nilgiri Apartment, Akshar Road Behind Laxminarayan Temple, Borivali West, Mumbai. Maharashtra.

2. Talati-cum-mantri Shri Motizer.

Residing at - Motizer, Ta.Kapadwanj, District - Kheda.

3. Sarpanch Shri Jotishbhai Rashikbhia Shah (Gram Panchayat) Motizer.

Residing at Motizer Ta. Kapadwanj, District - Kheda.

SUBJECT: Suit for Declaration and Permanent Injunction.

APPEARANCE:

Learned Advocate Mr. H.H. MALEK for the PLAINTIFF.

Learned Advocate Mr. H. M. HOSHI for the DEFENDANT No. 1.

Learned Advocate Mr. I. K. PARMAR for the DEFENDANT No. 2 & 3.

Brief facts giving rise to present petition are as under :-

1. Plaintiff has filed present suit for Declaration and Permanent Injunction of the suit. According to the plaintiff, plaintiff having non-agricultural property bearing Survey No. 00 Vada-5 Ad-measuring H-0-32-37 for which Khata No. 260 and Gram panchayat Property No. 878 (Entry No. 1249) situated at Motizer, Ta. Kapadwanj, District - Kheda (hereinafter refer to as disputed property) According to plaintiff disputed property originally belongs to Jivanlal Goverdhandas, Kasturchand Shivilal, Manilal Shivilal,

Kalidas Phulchandbhai, Ishwarlal Harichandbhai & Nalchand Harichandbhai and having in their possession. Moreover, plaintiff is legal heirs of Jivanlal Goverdhandas and become the successor of the disputed property after the demise of Late Jivanlal Goverdhandas by succession mutation entry No. 3021. Other heirs of Jivanlal

Goverdhandas are Shantaben Jivanlal, Maheskumar Jivanlal, Madhukarbhai Jivanlal, Rashmikantbhai Jivanlal & Ravindrabhai Jivanlal. Then after, by mutation entry No. 3023 rest of the heirs his revoked their rights from disputed property become the sole property of the plaintiff. By mutation entry No. 3047 heirs of Kasturchand Shivilal has revoked their rights from disputed property in favour of plaintiff. Further, Manilal Shivilal has given his share to the plaintiff by way of written consent for using purpose. Then after by mutation entry No. 3060 heirs of Nalchand Harchand and by mutation entry No. 3063 heirs of Kalidas Ishwarlal Parikh has revoked their rights in favor of the plaintiff, therefore, plaintiff having in his possession four (4) share of disputed property that is ad-measuring H-0-0-32-37 and one(1) share goes to heirs of Chandulal names are heirs of Induben Chandulal, Rashmibhai Chandulal, Bharatbhai Chandulal, Reetaben Chandulal, Kalpanaben Chandulal, Deenaben Chandulal and Sunilbhai Chandulal. Further, plaintiff stated that defendant NO. 1 is heirs of Chandulal not interfering with the possession of the plaintiff. Hence, they are not joined as defendants. Plaintiffs having his name in Akarni Patrak No. 1249, Survey NO. 5 & Property No. 879. Plaintiff has converted disputed property in non-agriculture land on dated 24.01.1974 and then after, built one factory for which permission has been taken on dated 24.09.1993 from Zila Udyog Kendra. Further, plaintiff stated that plaintiff has not carried out any construction in the share of defendant No. 1. Therefore, in the name of defendant No. 1 and other has not been mutated in Akarni Patrak. Presently, name of the defendant No. 1 existing in village Form No. 7, therefore, defendant No. 1 trying to mutated his name in Akarni Patrak mala fidely. As, plaintiff having not good terms with defendant No. 3 because of election dispute, defendant Nos. 2 and 3 are helping defendant No. 1 in inserting the name Akarni Patrak by way of wrongful means. Then after, defendant no. 1 has filed application against the plaintiff before the Circle Inspector, Antisar Ta. Kapadwanj, District Kheda dated 20.03.2015. Plaintiff has been called for explanation for that application on dated 20.04.2015. Plaintiff has stated in his application that defendant No. 1 any no right or interest over the disputed property. Then after, defendant Nos. 2 and 3 have given notice

Page 3

RCS 73/2015

on the letter pad of Motizer Gram Panchayat dated 15.03.2015 which notice Vijaybhai Jaswantlal Shah and asked for explanation within 10 days with necessary relevant documents. Against to this plaintiff has given reply to defendant No. 2 through his advocate dated 07.08.2015 which was received by the defendant No. 2. Defendant No. 1 in collusion with the defendant Nos. 2 and 3 illegally trying to enter the name of defendant No. 1 in Akarni Patrak No. 879. Therefore, plaintiff has filed to suit.

ORDER

- 1. The present suit preferred by plaintiff is hereby partly allowed.**
- 2. This Court hereby declared that defendant No. 1 has no right to enter his name in Akarni Patrak for property bearing Survey No. 00 Vada - 5 Ad-measuring H-**

0-32-37 for which Khata No. 260 and Gram Panchayat Property No. 879 situated at Motizer Village, Ta. Kapadwanj, District Kheda.

3. No order as to cost.

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 18/10/2019

Additional Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Page - 4

RCS - 73/2015

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	2100/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	2190/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	21900/-	Final Amount	90/-

Given under my hand & seal of the Court on date OCTOBER 18, 2019.

Learned Advocate Mr. H.H. MALEK for the PLAINTIFF.
Learned Advocate Mr. H. M. HOSHI for the DEFENDANT No. 1.
Learned Advocate Mr. I. K. PARMAR for the DEFENDANT No. 2 & 3.

Drawn by

Compared by

(J.R. GANDHI)
Civil Assistant

Superintendent

(A. M. VASAVA)
Additional Senior Civil Judge
Kapadwanj

(સ.મુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, ૬૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

**IN THE COURT OF ADDITIONAL SENIOR CIVIL JUDGE SHRI A. M.
VASAVA**

AT: KAPADWANJ, DISTRICT: KHEDA

SMST (R) No - 13/2016

Registration No: 75/2015

Registered On: 26-08-2015

Decided On: 17-12-2019

Exhibit No: 24

PLAINTIFF:

Maheshbhai Arjunsingh Chauhan

Residing at - Sorna, Ta. Kapadwanj, District - Kheda.

DEFENDANTS:

1. Udabhai Shivabhai Jadeja

2. Motibhai Rumalbhai Zala

Residing at - Nana Rampura, Ta. Kapadwanj, District - Kheda.

SUBJECT: Summary Suit as per Order 37 of CPC,1908

APPEARANCE:

Learned Advocate Mr. J.R.PATAN for the PLAINTIFF.

Learned Advocate Mr. P.F.CHAUHAN for the DEFENDANTS.

Brief facts giving rise to present petition are as under :-

1. Plaintiff and defendants are residing in neighbour village, therefore, plaintiff and defendants having good friendly terms. Thereafter defendant No. 1 is in a

need of money, therefore, being a friendship relation with defendant No.1 plaintiff has given friendly loan of Rs. 60,000/- on 17.02.2014 and that was also written on Rs. 50/- stamp paper. According to the terms and conditions defendants No. 1 must repay the said amount within stipulated time but, defendant No. 1 failed to repay the said amount being aggrieved by that plaintiff has filed a criminal complaint

Page - 2

SMST - 13/2016

against defendant No. 1 and one another name Radhabhai Pratapbhai Vaghela at Kapadwanj Town Police Station. In view of that complaint defendant No.1 and another Radhabhai Pratapbhai Vaghela agreed to pay the said amount on 08.10.2014 that undertaking has been given in written of Rs. 100/- stamp paper that stamp paper was also notarized. In that undertaking plaintiff a defendant NO. 1 has to repay that said amount on 17.11.2014 and for that defendant No. 2 has taken the guarantee for repayment but, both the defendants have failed to repay the amount on 17.11.2014 as per the terms and conditions of the undertaking. Then after, plaintiff has given legal notice on 03.02.2015 by R.P.A.D. to the defendants. But, defendants have not replied for the same. Therefore, plaintiff has no other alternate recourse except the file this present suit.

ORDER

- 1. This suit of plaintiff is hereby partly allowed.**
- 2. It is hereby ordered that, defendant No. 1 do pay the due amount of Rs. 60,000/- (Sixty Thousand only) with 8 % interest per annum from the date of institution of the present suit till realization of the amount.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 17/12/2019

Additional Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	3,700/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	3,790/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	3,790/-	Final Amount	90/-

Learned Advocate Mr. J.R.PATAN for the PLAINTIFF.
Learned Advocate Mr. P.F.CHAUHAN for the DEFENDANTS.

Given under my hand & seal of the Court on date DECEMBER 17, 2019.

Drawn by

Compared by

(M.P.GOSWAMI)
Civil Assistant

(B.A. PARMAR)
Superintendent

(A. M. VASAVA)
Additional Senior Civil Judge
Kapadwanj

(સ.મુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, કા.૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ

-૧)**IN THE COURT OF ADDITIONAL SENIOR CIVIL JUDGE**

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (M) No - 76/2017

Registration No: 76/2017
Registered On: 11-07-2017
Decided On: 18-12-2019
Exhibit No: 23

PLAINTIFF:

State Bank of India, Meena Bazar Branch, Kapadwanj, District - Kheda.

DEFENDANTS:

1. Chimanbhai Nathabhai Vaghela
2. Somabhai Ramabhai Vaghela
3. Bhupatbhai Kabhaibhai Vaghela
4. Lakshmanbhai Kabhaibhai Vaghela
5. Vinubhai Ramabhai Vaghela

Residing at - Vadol, Ta. Kapadwanj, District - Kheda.

SUBJECT: Suit for Recovery of Money of Rs. 1,52,150/-

APPEARANCE:

Learned Advocate Mr. D.B. SONI for the PLAINTIFF.
Ex- parte for the DEFENDANTS.

Brief facts giving rise to present petition are as under :-

1. According to the plaintiff, plaintiff bank is incorporated as per State Bank of India Act, 1955 and doing banking business. Plaintiff bank having main branch Ahmedabad and Zonal office at Gandhinagar. However, regional office situated at Nadiad and sub branch situated at Kapadwanj. Plaintiff bank has authorized manager Shri Piyush Verma resided at Kapadwanj to file this suit and dealt with all

Page 2

RCS 76/2017

legal proceeding on behalf of the plaintiff bank. Defendants of this suit all are residing at Vadol Village and earning their livelihood defendants have applied for agriculture loan to the plaintiff bank. In consideration of the loan application advanced by the defendants, plaintiff bank has approved loan of Rs. 1,20,000/- @ interest 7% annum on 07.06.2014 after fulfilling the norms decided by the plaintiff bank. After borrowing loan from the bank, defendants agreed to repay the loan amount as decided by the plaintiff bank. But, defendants failed to repay the loan amount, therefore, plaintiff bank has to file this suit.

ORDER

1. This suit preferred by the plaintiff is hereby Partly Allowed.
2. Defendants are hereby directed to repay the amount of Rs. 1,52,150/- (One Lakh Fifty Two Thousand One Hundred Fifty Only) @ 8 % per annum to the plaintiff bank.

3. Both the parties do bear their own cost.

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 18/12/2019

Additional Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Page - 3

RCS - 76/2017

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	6,700/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	00/-
Process Fee	13/-	Process Fee	00/-
Pleader's Fee	75/-	Pleader's Fee	00/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	6,790/-	TOTAL	00/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	3,790/-	Final Amount	00/-

Learned Advocate Mr. D.B.SONI for the PLAINTIFF.
Ex - parte for the DEFENDANTS.

Given under my hand & seal of the Court on date DECEMBER 18, 2019.

Drawn by

Compared by

(M.P.GOSWAMI)
Civil Assistant

(B.A. PARMAR)
Superintendent

(A. M. VASAVA)
Additional Senior Civil Judge
Kapadwanj

(સ.મુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, ૫૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ

-૧)**IN THE COURT OF ADDITIONAL SENIOR CIVIL JUDGE**

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

SPCS (M) No - 41/2018

Registration No: 41/2018

Registered On: 05-12-2018

Decided On: 24-12-2019

Exhibit No: 21

PLAINTIFF:

State Bank of India, Nirmali Branch, Ta- Kapadwanj, District - Kheda.

DEFENDANTS:

1. Mathurbhai Shanabhai Valand

Residing at - Lalpur, Post - Nirmali, Ta. Kapadwanj, District - Kheda.

SUBJECT: Suit for Recovery of Money of Rs. 6,65,020/-

APPEARANCE:

Learned Advocate Mr. P.H.DAVE for the PLAINTIFF.

Ex- parte for the DEFENDANT.

Brief facts giving rise to present petition are as under :-

1. According to the plaintiff, plaintiff bank is Nationalized Bank and having its Corporate Office at Bombay. Moreover, having their branches in different city out of that, plaintiff bank having its sub-branch at Nirmali, Ta. Kapadwanj, District-Kheda.

2. Defendant of the suit has applied for KCC Loan dated 15.01.2016 which application was approved by the bank on 21.01.2016 and sanctioned loan of Rs.

6,60,000/-. Defendant has withdrawn Rs. 4,95,000/- in his first year. Defendant has signed all the documents as per the norms of the Bank. Moreover, defendant was agreed to pay loan at the 7% per annum rate of interest and then after, renewal rate of interest 12.05%. Defendant having agriculture land bearing Survey No. 346/1,

Page 2

SPCS 41/2018

346/2, 347, 348, 368/4 paikie & 374 paikie at Lalpur village. Defendant has created charge for obtaining loan on all revenue survey No. 1841 dated 13.11.2018. Plaintiff bank has given several reminders to the defendant for the repayment of loan but, defendant did not repay the loan amount within stipulated time. Therefore, plaintiff bank has given notice through their advocated on 25.10.2018 which was served to the defendant on 31.10.2018 then also defendant did not pay repay the outstanding the loan amount. Therefore, plaintiff bank has to file this suit.

ORDER

- 1. This suit preferred by the plaintiff is hereby Partly Allowed.**
- 2. Defendant is hereby directed to repay the amount of Rs. 6,65,020/- (Six Lakhs Sixty Five Thousand & Twenty Only) @ 8 % per annum to the plaintiff bank.**
- 3. Both the parties do bear their own cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 24/12/2019

Additional Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	17,350/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	00/-
Process Fee	13/-	Process Fee	00/-
Pleader's Fee	925/-	Pleader's Fee	00/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	18,290/-	TOTAL	00/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	18,290/-	Final Amount	00/-

Learned Advocate Mr. P.P. DAVE for the PLAINTIFF.
Ex - parte for the DEFENDANT.

Given under my hand & seal of the Court on date DECEMBER 24, 2019.

Drawn by

Compared by

(M.P.GOSWAMI)
Civil Assistant

(B.A. PARMAR)
Superintendent

(A. M. VASAVA)
Additional Senior Civil Judge
Kapadwanj

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, કા.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ

-૧)**IN THE COURT OF ADDITIONAL SENIOR CIVIL JUDGE**

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No - 54/2017

Registration No: 54/2017

Registered On: 12-05-2017

Decided On: 24-12-2019

Exhibit No: 33

PLAINTIFF:

State Bank of India, Thavad Branch, At - Thavad,

Ta- Kapadwanj, District - Kheda.

DEFENDANTS:

1. Doliben Fataji Widow of Magaji (Delete)

2. Udabhai Fatabhai

3. Shantaben Fatabhai

4. Jadiben Fatabhai

5. Jasiben Fatabhai

6. Bhemsinh Fatabhai (Delete)

7. Bhaluben Fatabhai

Residing at - Juna Lotiya, Ta. Kapadwanj, District - Kheda.

SUBJECT: Suit for Recovery.

APPEARANCE:

Learned Advocate Mr. D. B. SONI for the PLAINTIFF.

Ld. Advocate Mr. P. F. Chauhan for the DEFENDANT Nos. 2,5 & 7.

For Defendant Nos. 3 & 4 Suit Proceed Ex. Parte.

Brief facts giving rise to present petition are as under :-

1. Plaintiff has Bank is nationalized Bank and doing banking business under State Bank of India at 1955. Plaintiff bank having main office at Ahmedabad and zonal office at Gandhinagar. However, its regional office situated at Nadiad. Plaintiff bank having Sub- Branch in Thavad Village. Plaintiff bank has given authority to

Mr. Prabhudas Vallabhbhai Darji residing Kapadwanj on behalf of the plaintiff bank.

2. Defendants of this suit was resided at Juna Lotiya Village. Defendants were applied for agriculture loan in Thavad Branch. Then after according to Rules & Regulations of Bank on 01.11.2007 bank has sanctioned Rs. 3,00,000/- loan @ of 7% per annum.

Page 2

RCS 54/2017

Against that, defendants have created charge on agriculture loan situated at Sukhi Village. Ta. Kapadwanj bearing Khata No. 34 under which Survey Nos. 127,139/2, 141/2, 142/2, 143, 147, 148, 150, 164, 165, 166, 172. Defendants have signed all the necessary documents as per the norms of bank. Then, after, defendants have to repay the loan amount according to repayment scheduled but, defendants were failed to repay the same. Then after, plaintiff bank has intermittently remind to the defendants to pay the outstanding loan but, defendants were not repay the outstanding loan amount. Then after, on 14.08.2014 plaintiff bank has given registered notice to the defendants which was duly served to the defendants. But, when also defendants were not repay the loan amount. Therefore, plaintiff has to file this suit.

ORDER

- 1. The present suit preferred by the plaintiff is hereby Partly Allowed.**
- 2. Defendants are hereby directed to repay the amount of Rs. 3,55,000/- @ 8 % per annum to the plaintiff bank.**
- 3. Both the parties do bear their own cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 24/12/2019

Additional Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	11,000/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	00/-
Process Fee	13/-	Process Fee	00/-
Pleader's Fee	75/-	Pleader's Fee	00/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	11090/-	TOTAL	00/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	11,090/-	Final Amount	00/-

Learned Advocate Mr. D. B. SONI for the PLAINTIFF.
 Ld. Advocate Mr. P. F. Chauhan for the DEFENDANT Nos. 2,5 & 7.
 For Defendant Nos. 3 & 4 Suit Proceed Ex. Parte.

Given under my hand & seal of the Court on date DECEMBER 24, 2019.

Drawn by

Compared by

(M.P.GOSWAMI)

(B.A. PARMAR)

(A. M. VASAVA)

Civil Assistant

Superintendent

Additional Senior Civil Judge

Kapadwanj

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, કા.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No - 71/2013

Registration No: 71/2013

Registered On: 16-12-2013

Decided On: 29-01-2020

Exhibit No: 122

PLAINTIFF:

Pratapsinh Punabhai Solanki

Residing at - Betavada, Ta. Kapadwanj, District - Kheda.

DEFENDANTS:

1. Kaliben d/o SHanji Punaji

2. Shantaben widow of Babarji Shanaji

Residing at - Betavada, Ta - Kapadwanj District Kheda.

SUBJECT: Suit for Declaration and Permanent Injunction.

APPEARANCE:

Learned Advocate Mr. I. K. PARMAR for the PLAINTIFF.

Learned Advocate Mr. P. F. CHAUHAN for the DEFENDANTS.

Brief facts giving rise to present petition are as under :-

1. Plaintiff having agriculture land bearing Khata No. 472 Survey No. 496/3 Ad-measuring H-0-30-35 and Survey No. 496/4 Ad-measuring H-0-33-39 situated at Betavada Village Ta. Kapadwanj, District - Kheda (hereinafter refer to as 'disputed property'). Plaintiff holding independent and silent possession of the disputed property. Plaintiff is the owner of the disputed property and cultivating the disputed property and taking out put from the disputed property from the defendant No. 1 by way of mortgage and then after, by way of sale since long back 33 years. Since then, plaintiff cultivating the land and taking crops from the disputed land. However, defendant No. 2 is not the wife of late Babarji Shanaji but, fabricating the wrong heirship certificate and inserted her name in revenue records. Plaintiff has filed against that appeal in Deputy Collector Shri Kapadwanj which is right now pending Disputed property has been obtained by the plaintiff from the brother of the defendant No. 2 Barbarji Shanaji by way of sale. Since

then, plaintiff having the possession over the disputed property. Moreover, plaintiff is paying all land revenues for disputed property. Brother of defendant No. 1 Babarbai Shanabhai passed way on 25-02-2001. Then, after, name of defendant No. 2 has been inserted by way of false and fabricated heirship certificate. After the demise of Babarbai Shanabhai, Plaintiff has asked their heirs to execute the sale deed but, their heirs are not executed the sale deed but, their heirs are not executed the sale deed by making false excuse. Then after, on 27.06.2012 plaintiff has given notice to their advocate to the defendant No. 1. But, defendant No. 1 has give vaged reply of that notice. However, defendant No. 2 has no right or interest over the disputed property. But, the undue advantage of her name in revenue records obtain the loan of Rs. 1,20,000/- from Punjab National Bank, Kapadwanj Branch dated 22.08.2013 for which charge was created on the disputed property by entry No. 4794 dated 23.08.2013. However, when plaintiff came to know about the transaction. Plaintiff filed this present suit.

ORDER

1. **The present suit preferred by the plaintiff is hereby rejected.**
2. **No order as to cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 29/01/2020

Additional Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	200/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	290/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	290/-	Final Amount	90/-

Learned Advocate Mr. I. K PARMAR for the PLAINTIFF.
Learned Advocate Mr. P. F. Chauhan for the DEFENDANTS.

Given under my hand & seal of the Court on date JANUARY 29, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)
Civil Assistant

(B.A. PARMAR)
Superintendent

(A. M. VASAVA)
Additional Senior Civil Judge
Kapadwanj

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, ૫૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No - 85/2012

Registration No: 85/2012

Registered On: 23-08-2012

Decided On: 05-02-2020

Exhibit No: 129

PLAINTIFF:

1. Satishkumar Prabhatsinh Zala
2. Rajusinh Prabhatsinh Zala

Residing at - Punadara Ta. Kapadwanj, District - Kheda.

DEFENDANTS:

Legal Heirs of late Melaji Fataji

1. Manchhiben Melaji,
2. Rajubhai Melaji,

Legal Heirs of Late Javanji Fataji

3. Naniben Javanji Fataji,
4. Kokilaben Javanji Rathod,
5. Lilaben Javanji Rathod,
6. Rameshbhai Javanji Rathod,
7. Vajuben Javanji Rathod,
8. Anandiben Javanji Rathod,
9. Lakshmiben Fataji

10. Jashiben Fataji

11. Subhaben Fataji

Legal Heirs of Late Hiraben Fataji

12. Rameshbhai Kalabhai Zala
13. Kanubhai Kalabhai Zala
14. Mahendrabhai Kalabhai Zala

All Residing at - Old Vasiyani Muvadi at Punadara, Ta. Kapadwanj, District - Kheda.

SUBJECT: Suit for Declaration and Permanent Injunction.

APPEARANCE:

Learned Advocate Mr. F. F. PATHAN for the PLAINTIFFS.

Learned Advocate Mr. S. C. CHAUHAN for the DEFENDANTS.

Brief facts giving rise to present petition are as under :-

1. Ancestor of the defendants having ancestral property bearing Survey No. 88/1, Ad-measuring H-0-64-75 Acre Gunthas and Survey No. 88/2 Ad-measuring H-0-65-75 situated as Sim of Village Punadara Village (hereinafter refer to as 'disputed property'). The Disputed property runs in the name of ancestor of defendant Nos. 1 to 8, defendant Nos. 9 to 11 and defendant Nos. 12 to 14. Then after, ancestor of defendant Nos. 1 to 8 and defendant Nos. 9 to 11 in necessity of finance kept the disputed property for sale at that time, plaintiffs showing his readiness to purchase the disputed for price of Rs. 55,000/- as property bearing Survey No. 88/1 is of new condition in revenue records, that transformation in old condition must be done by the expenses of the seller and heirs of Heeraben Fataji execute the consent deed in favour of the plaintiffs for Survey No. 88/2. Plaintiffs have given consideration of Rs. 55000/- in cash to heirs of the defendant Nos. 1 to 8 and defendant Nos. 9 to 11. Then after, heirs of the defendant Nos. 1 to 8 and defendant Nos. 9 to 11 have given general power of attorney to Becharsinh Daulatsinh Zala dated 03.07.2007 in regard of disputed property. On that basis, Becharsinh Daulatsinh Zala executed registered sale deed No. 1106/2007 dated 11.07.2007 at the office of Sub-registrar. Since then, plaintiffs having silent and independent possession of disputed property and cultivating the same. Plaintiffs have several times asked to present plaintiffs to make clear the title in favour of the plaintiffs of the disputed property but, defendants avoiding the same. Then after, defendants were executed deed for withdrawal of rights of Rs. 100/- stamps in office of Mamlatdar, Kapadwanj. On the basis of that, revenue entry No. 2266 has been inserted for withdrawal of rights near about 14 persons, against that plaintiffs have filed their objection. Plaintiffs became the owner of disputed property but, the defendants were not executing the sale deed in favor of the plaintiffs and trying to dispose the disputed property to the others. Therefore, plaintiffs have filed this suit.

ORDER

1. The present suit preferred by the plaintiffs is hereby partly allowed.
2. Defendant Nos. 1 to 14 are hereby directed to execute consent deed in favor of the plaintiffs for property bearing Survey No. 88/1, Ad-measuring H-0-64-75 Acre Gunthas and Survey No. 88/2 Ad-measuring H-065-75 situated at Punadara Village in view of registered sale deed No. 1106/2007 dated 11.07.2007.
3. Defendants are hereby directed not to interfere with the possession of the plaintiffs in regard of disputed property bearing Survey No. 88/1, Ad-measuring H-0-64-75 Acre Gunthas and Survey No. 88/2 Ad-measuring H-065-75 situated at Punadara Village directly or directly or through their agent, assignee or their representative in any manner.
4. The present counter claim preferred by the defendants is hereby rejected.
5. No order as to cost.

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 05/02/2020

Additional Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	4300/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	4390/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	4390/-	Final Amount	90/-

Learned Advocate Mr. F. F PATHAN for the PLAINTIFFS.

Learned Advocate Mr. S. C. Chauhan for the DEFENDANTS.

Given under my hand & seal of the Court on date FEBRUARY 05, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)
Civil Assistant

(B.A. PARMAR)
Superintendent

(A. M. VASAVA)
Additional Senior Civil Judge
Kapadwanj

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, ૫૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No - 65/2014

Registration No: 65/2014

Registered On: 19-07-2014

Decided On: 29-01-2020

Exhibit No: 56

PLAINTIFF:

Legal Heirs of Late Kohayaji Motiji

1. Suraji Bhulaji Parmar,
2. Parmar Keshaji Bhuraji
3. Parmar Ramanbhai Fulaji
4. Parmar Raibhanji Sardarji
5. Parmar Bhavanji Jenaji

All Residing at Junamuvada, Ta. Kapadwanj, District - Kheda.

DEFENDANTS:

1. Kikabhai Shankarbhai (Deleted)
2. Dilipbhai Kikabhai
3. Lalitbhai Kikabhai

Both Residing at Holichakala, Ta. Kapadwanj, District - Kheda.

SUBJECT: Suit for Declaration and Permanent Injunction.

APPEARANCE:

Learned Advocate Mr. M. A. SHAIKH for the PLAINTIFFS.

Learned Advocate Mr. J. U. MALEK for the DEFENDANTS.

Brief facts giving rise to present petition are as under :-

1. Plaintiff father late Kohayaji Motiji occupied revenue Survey No. 219/6 Ad-measuring H-0-64-75 situated at Village Later, Ta. Kapadwanj, District - Kheda (hereinafter refer to as 'disputed property'). Kohayaji Motiji obtaining the property on tenancy basis since long back in 1950 and having the occupier and the title rights over the disputed property for which mutation entry No. 834 has been mutated in revenue records on 30.05.1951. But, unfortunately late Kohayaji Motiji has been inserted by way of secondary right. But, actually late Kohayaji Motiji has obtained the property by way of purchased and having primary title rights. However, after the demise of

late Kohayaji Motiji heirs of Kohayaji Motiji were occupied the disputed property and cultivating the disputed property and taking the crops since long back. Defendants of the suit has no right over the disputed property. However, defendants have no right by the order of R.T.S dated 14.05.1951 but, unauthorizedly inserted their names in the revenue records. Moreover, defendants were fabricated wrongs story before the then revenue officer and made order in their favor. Moreover, defendants have done manipulation in revenue records in collusion with the revenue officers. Moreover plaintiff having the rights over the disputed property and defendants have no right or interest over the disputed property. However, plaintiff came to know about the situation and instantly obtaining the certified copied on 16.06.2014 and getting actual position and came to know about the malice intention about the defendants. Therefore, plaintiff has to file this suit.

ORDER

1. **The present suit preferred by the plaintiff is hereby rejected.**
2. **No order as to cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 29/01/2020

Additional Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	100/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	190/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	190/-	Final Amount	90/-

Learned Advocate Mr. M. A. SHAIKH for the PLAINTIFFS
Learned Advocate Mr. J. U. MALEK for the DEFENDANTS.

Given under my hand & seal of the Court on date JANUARY 29, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)
Civil Assistant

(B.A. PARMAR)
Superintendent

(A. M. VASAVA)
Additional Senior Civil Judge
Kapadwanj

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, કા.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No - 77/2015

Registration No: 77/2015
Registered On: 27-08-2015
Decided On: 07-02-2020
Exhibit No: 90

PLAINTIFF:

Ramilaben Ashokkumar Dalvadi

Residing at Sutharvads, Ta. Kapadwanj, District - Kheda.

DEFENDANTS:

1. Yogeshkumar Natwarlal Dalvadi

Residing at Kubernagar Society, Ta. Kapadwanj, District - Kheda.

SUBJECT: Suit for Permanent Injunction.

APPEARANCE:

Learned Advocate Mr. F. N. MIRZA for the PLAINTIFF.

Learned Advocate Mr. K. D. SHROFF for the DEFENDANT.

Brief facts giving rise to present petition are as under :-

1. Plaintiff is wife of Ashokkumar Natwarlal Dalvadi and sister-in-law in defendant. Husband of plaintiff has unknown for several years, plaintiff having two children out of her wedlock who were married and resided at their matrimonial house. Mother-in-law plaintiff named Revaben Natwarlal having property bearing City Survey No. 6644/A/1 whose revenue Survey No. 139/B/1 situated at Kubernagar Society Bunglow No. B-10 at Kapadwanj (hereinafter refer to as disputed property'). Revaben Natwarlal was passed away approximate three years before and according to her heirs ship certificate, husband of plaintiff, as well as, plaintiff and her children were ancestor of legal heirs of Revaben Natwarlal. Moreover, husband of plaintiff having half share from disputed property and being heirs of Hindu joined family. Plaintiff and her children having half share of her husband property. Father-in-law of plaintiff was served in S.T. Department, as well as, husband of plaintiff was teacher. Due to problem of residing in one house, plaintiff was resided previously at near to Temple of

Veraimata. Further, stated that father of plaintiff and husband of plaintiff were purchased disputed property out of there individual income. But, due to the problem of space in one house disputed property was given to the defendant for residing. But , late Revaben Natwarlal was executed the consent deed dated 28.04.1988 in which Revaben Natwarlal allowed plaintiff to carry out construction of over the disputed property. Husband of the plaintiff was unknown since, 1996. Defendant trying to sale away this property to the others which affect the right of the plaintiff for which plaintiff prohibited the defendant not to do so but, defendant stated that disputed property runs in the name of the plaintiff. Therefore, I can do whatever I want to do in regards of disputed property. Therefore, plaintiff have equal right over the disputed property.

ORDER

- 1. The present suit preferred by the plaintiff is hereby rejected.**
- 2. No order as to cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 07/02/2020

Additional Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	200/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	290/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	290/-	Final Amount	90/-

Learned Advocate Mr. F.N.MIRZA for the PLAINTIFF.

Learned Advocate Mr. K.D. SHROFF for the DEFENDANT.

Given under my hand & seal of the Court on date FEBRUARY 07, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)

(B.A. PARMAR)

(A. M. VASAVA)

Civil Assistant

Superintendent

Additional Senior Civil Judge

Kapadwanj

(સ.મુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, કા.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No - 65/2013

Registration No: 65/2013

Registered On: 12-11-2013

Decided On: 29-01-2020

Exhibit No: 104

PLAINTIFF:

Heirs of Narharibhai Bhatt

Lataben d/o Narharibhai Budheshwar Bhatt

w/o Manharbhai Shantilal Shevak

Residing at 51, Badiyakaka Society Near Devi Cinema, Naroda,
Ta & District - Ahmedabad.

DEFENDANTS:

1. Dharmendrabhai Narharibhai Bhatt

Residing at F/22/4, Nobral Nagar, Mahadev Chowk, Ahmedabad.

2. Rajendrabhia @ Rajeshbhai Narharibhai Bhatt

Residing at 402-H-building, 4th floor, E-wing New MMB colony,
Boriwali West, Mumbai, State Maharashtra.

3. Amitaben Rajendrabhai @Rajeshbhai Bhatt

Residing at 402-H-building, 4th floor, E-wing New MMB colony,
Boriwali West, Mumbai, State Maharashtra.

4. Vinodchandra Bhikhabhai Patel

5. Kanhaiyalal Vinodchandra Patel

6. Vipulkumar Vinodchandra Patel

Residing at - Mota Palelvada, Ta. Kapadwanj, District - Kheda.

7. Jigisaben d/o Narharibhai Bhadeshwar Bhatt.

Residing at - 65-F D.B.N. Sports 6 Crossing Bhagya Tamal Nagar Chennai -5.

SUBJECT: Suit for Declaration, Cancellation & Permanent Injunction.

APPEARANCE:

Learned Advocate Mr P. F. CHAUHAN for the PLAINTIFF.

Learned Advocate Mr. J.B. MARWADI for the DEFENDANT Nos 1,2, &
3.

Learned Advocate Mr. F.F. PATHAN for the DEFENDANT Nos 4,5 & 6.

Defendant No. 7 Ex-parte.

Brief facts giving rise to present petition are as under :-

1. Plaintiff and defendant Nos. 1, 2 & 7 are real brothers and sisters and defendant No 3 is sister-in-law of plaintiff. Plaintiff and defendant Nos. 1, 2 & 7 having ancestral property which bearing Survey No. 44/3 Ad-measuring H-0- 55-56, Survey No. 45/2 Ad-measuring H-0-05-06, Survey No. 56/1 Ad-measuring H-0-34-40, Survey No. 86/1 Ad-measuring H-0-65-76 Acre Gunthas situated at Meerapur Village, Ta. Kapadwanj, District - Kheda.(Hereinafter refer to as 'disputed Property') Late Budheshwar Chhotalal Bhatt, who is ancestor of plaintiff and defendant Nos. 1, 2 & 7 having title rights and possession of disputed property. After the demise of Budheshwar Chhotalal Bhatt, plaintiff and defendant Nos. 1, 2 & 7 and his wife late Nirmalaben Narharibhai Bhatt became the owner of disputed property by way of succession and entered their name in revenue records. But, defendant Nos. 1, 2 in collusion with the mother of plaintiff making the entry for withdrawal of rights for plaintiff and defendant No. 7 by mutation

entry No. 1227 date 12.07.1988 without the knowledge of plaintiff and defendant No. 7. Plaintiff and defendant Nos. 1, 2 & 7 having equal rights over the disputed property but, defendant Nos. 1, 2 in collusion with the mother wrongfully withdrawn names of plaintiff and defendant No. 7 from revenue record.

2. Defendant Nos. 1 & 2 in collusion with mother late Nirmalaben partitioned the disputed Survey Nos. 44/3, 45/2, 48/2, 56/1, 86/1 and 86/2 between them, for which mutation entry No. 1725 dated 13.03.2019 has been inserted. Out of them Survey No. 56/1 goes to mother late Nirmalaben which afterwards late Nirmalaben sold to the defendant Nos. 4 to 6 by registered sale deed No. 135/2011 dated 20.01.2011 against the consideration of Rupees one Lakh. Defendant Nos. 1, 2 and mother late Nirmalaben has no right to transfer the ancestral property by taking the right of plaintiff and defendant No. 7. When, plaintiff came to the knowledge about the transaction then plaintiff obtaining all the revenue records of the disputed property then came to knowledge about the actual position. Therefore, plaintiff has filed the suit.

ORDER

1. **The present suit preferred by the plaintiff is hereby rejected.**
2. **No order as to cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 29/01/2020

Additional Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	3000/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-

Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	3090/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	3090/-	Final Amount	90/-

Learned Advocate Mr P. F. CHAUHAN for the PLAINTIFF.

Learned Advocate Mr. J.B. MARWADI for the DEFENDANT Nos 1,2, & 3.

Learned Advocate Mr. F.F. PATHAN for the DEFENDANT Nos 4,5 & 6.

Defendant No. 7 Ex-parte.

Given under my hand & seal of the Court on date JANUARY 29, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)
Civil Assistant

(B.A. PARMAR)
Superintendent

(A. M. VASAVA)
Additional Senior Civil Judge
Kapadwanj

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, કા.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No - 71/2014

Registration No: 71/2014

Registered On: 13-08-2014

Decided On: 29-01-2020

Exhibit No: 00

PLAINTIFF:

1. Jayeshbhai Ajitbhai Parikh
2. Gautambhai Ajitbhai Parikh

Through his guardian plaintiff No. 1

Residing at - Dasha Porwad Society, Paldi, Ahmedabad.

DEFENDANTS:

1. Mafatlal Kantilal & Co. Pvt Ltd.

Through its Director Mr. Hasmukhbhai Mafatlal

Residing at - Antisar Darwaja, Karsanpura Road, Kapadwanj, District Kheda.

2. M/s Nandanvan Dairy Farm a partnership Firm,

Through its partner Mr. Divyang Dani

Residing at - Karsanpura Road, Kapadwanj, District Kheda.

3. Heirs of Jayantilal Panachand Shah viz.

(a) Dilipkumar Jayantilal Shah

(b) Kumarpal Jayantilal Shah

All Residing at - Modiya ni Khadki, Kapadwanj, District Kheda.

4. Heirs of Chhaganlal Muljibhai viz.

Mahendrabhai Kikabhai Gandhi

Residing at C-409, Upvan Tower, Upper Govindnagar, Nr. Chicholi Crossing

Malad (East), Mumbai, State Maharashtra.

SUBJECT: Suit for Declaration, & Permanent Injunction.

APPEARANCE:

Learned Advocate Mr J. A. PARIKH for the PLAINTIFF.

Learned Advocate Mr. K. D. SHROFF for the DEFENDANTS.

Brief facts giving rise to present petition are as under :-

1. The plaintiffs and defendants Nos. 3 and 4 are the owners of the Land bearing Block/Survey No. 2/A, situated at - Kapadwanj, Ta - Kapadwanj, District Kheda, Ad-measuring H-00-66-77 out of which major portion thereof being 56.6% referred to herein as "Disputed Property" is owned by the plaintiffs herein. The said disputed property is ancestral property of the plaintiffs and as per the revenue record, the plaintiffs are the owners of the said land. Defendant Nos. 3 and 4 have been joined as party defendants as they are the joint owners of the property. The plaintiff no. 2 is the brother of plaintiff no. 1 and the Hon'ble City Civil Court in Civil Misc. Application no. 601/1990 has appointed plaintiff no. 1 i.e. Jayeshbhai Parikh as a guardian of the properties of plaintiff no. 2 i.e. Gautambhai Parikh u/s 71 of the Indian Lunacy Act and appointed plaintiff no. 1 as a guardian and manager of mentally retard person i.e. plaintiff no. 2 u/s 71 of Indian Lunacy Act.
2. The plaintiffs submit that Sheth Ramanbhai Manibhai who was the real uncle of the plaintiffs with other co-owners, had demised the property on 08/11/1937 for a period of 10 years and the rent per annum was fixed at Rs. 325/- to Kesavlal Vadilal. Thereafter, Keshavlal Vadilal and one Mafatlal Ambala, having in course of time promoted a registered company viz. M/s Mafatlal Kantilal & Co. Ltd. for Oil Mill Business and they were the directors of the Company. The Plaintiffs are the legal heirs of Late Shree Ramanbhai Manibhai Sheth and the names of the plaintiffs have been mutated in the revenue record.
3. The plaintiffs submit that M/s Mafatlal Kantilal & Co. Ltd. by its director Keshavlal Vadilal had taken the said property on lease rental in 1937 initially for a term of 10 years. However, the said lease rental period was already over long back and the said lease rental has been terminated due to change in the purpose for which it was leased out.
4. The plaintiff further submit that the plaintiff No. 1 received a letter on 22/01/2014 from the defendant No. 1 i.e. Mafatlal Kantilal & Co. Pvt. stating that they are sending Rs. 186/- as a lease rent for the period from 01/04/2013 to 31/03/2014 and also sending a voucher for the same and asking the plaintiffs to sign it and send it back. The plaintiffs in good faith received the rent.
5. The plaintiffs submit that in or about the month of March, 2014 when the plaintiffs visited the said property, they were greatly shocked and surprised to see some hoardings and posters of defendant No. 2 "NANDANVAN DAIRY FARM" at the said property indicating therein that the business of selling the milk will start from 15/01/2014.

6. The plaintiffs state that as defendant No. 2 Nandanvan Dairy Farm is in wrongful possession of the disputed property, the plaintiffs sent a notice dated 30.04.2014 calling upon the defendant Nos. 1 and 2 his agents, servants and/or anybody claiming through the defendant nos.1 and 2 to vacate or get the expired lease land vacated of which the plaintiffs are the co-owners and hand over peaceful possession of the disputed property within 7 days from the date of receipt of the said notice. However, instead of complying with the notice, the defendant No. 1 had given false and evasive reply to the said notice. Hence, present suit is required to be filed.

ORDER

1. **The present application of the defendant is hereby allowed.**
2. **The present suit of the plaintiffs is hereby order to be rejected under Order - 7 Rule 11(b) of Code of Civil Procedure, 1908.**
3. **No order as to cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 31/01/2020

Additional Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	6350/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	6440/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	6440/-	Final Amount	90/-

Learned Advocate Mr J. A. PARIKH for the PLAINTIFF.
Learned Advocate Mr. K. D. SHROFF for the DEFENDANTS.

Given under my hand & seal of the Court on date JANUARY 31, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)
Civil Assistant

(B.A. PARMAR)
Superintendent

(A. M. VASAVA)
Additional Senior Civil Judge
Kapadwanj

(સ.મુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, ડા.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

H.M.P. No - 23/2019

Registration No: 23/2019

Registered On: 18-04-2019

Decided On: 29-01-2020

Exhibit No: 24

PETITIONER:

Harsh Narendrakumar Patel

Residing at - A/47 Kuber Nagar Society, Near Kuberji Mahadev,

Ta. Kapadwanj, District - Kheda.

OPPONENT:

Hemakshiben w/o Harsh Narendrakumar Patel

Residing at - c/o, Nayanbhai Kantibhai Patel,

Main Bazar Luhar Faliyu, Ta. Valiya, District - Bharuch.

SUBJECT: Hindu Marriage Petition u/s 13

APPEARANCE:

Learned Advocate Mr R.R. TRIVEDI for the PETITIONER..

Learned Advocate Mr. S. A. PATEL for the OPPONENT.

Brief facts giving rise to present petition are as under :-

1. The petitioner Harsh Narendrakumar Patel has preferred present petition u/s 13 of the Hindu Marriage Act, 1955 for the decree of Divorce.

2. It is the say of the petitioner that both petitioner and opponent belongs to Hindu religion and solemnized their marriage at Valiya, District - Bharuch on 05-05-2011 according to the Hindu Rites and Rituals. Then after, marriage has been registered vide Registration No. 04/2013 dated 15.01.2013. Then after, both applicant and opponent started their matrimonial life together. Then after, one male child has begotten out of their wedlock named poorav dated 29-01-2016. Opponent of this petition live together with the petitioner in good manner only for short span to time. Then after, opponent do according to her will. Opponent do not fulfill her responsibility towards their son Poorav. Then after, in 2014 opponent was continue with her further studies at M.B. Patel College of Science, Anand. Then after, in 2015 further studies continue at Anand Institute of Management Shri Ram Krishna Sheva Mandal Campus for which all expenses were borne by the petitioner. Then after, opponent got the job of lab technician at Blood Bank, Kapadwanj in period of 2016 to 2017 on the montly salary of Rs. 4000/- At present since last two yeas opponent render service at Kheda Civil Hospital in T.B Department as left technician on monthly salary of Rs. 13,000/-. Opponent do not fulfill any matrimonial responsibilities towards the petitioner, as well as their son Purav. Then after, father of the opponent has asked friendly loan of rupees two lakhs from father of the petitioner being their financial condition was not good, which was given by the father of the petitioner. Assurance has been given by the father of the opponent to repay the friendly loan at the end of February but, that was not done accordingly. Then after, on demand of rupees two lakhs father of opponent trying to avoid the petitioner making the scene. Opponent of this petition is not willing to enjoy matrimonial rights with the petitioner. Therefore, petitioner filed this petition for decree of divorce.

ORDER

1. The present petition is hereby allowed.

2. The marriage solemnized and Registered vide No. 04/2013 on date :

05.01.2013 between petitioner Harsh Narendrakumar Patel and Opponent Hemakshiben w/o Harsh Narendrakumar Patel d/o Nayanbhai Kantibhai Patel is hereby stands dissolved from the date of this order

3. No order as to costs.

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 29/01/2020

Additional Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Page - 3

HMP - 23/2019

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	50/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	140/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-

Final Amount	140/-	Final Amount	90/-
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Learned Advocate Mr R. R. TRIVEDI for the PETITIONER.
Learned Advocate Mr. S.A. PATEL for the OPPONENT.

Given under my hand & seal of the Court on date JANUARY 29, 2020.

Drawn by

Compared by

(M. P. GOSWAMI)
Civil Assistant

(B. A. PARMAR)
Superintendent

(A. M. VASAVA)
Additional Senior Civil Judge
Kapadwanj

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, ૬૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No - 61/2014

Registration No: 61/2014

Registered On: 04-07-2014

Decided On: 07-02-2020

Exhibit No: 94

PLAINTIFF:

Fulabhai Madhabhai Rathod

Residing at - Zanda, Ta. Kapadwanj, District - Kheda.

DEFENDANTS:

1. Sattarbhai Mohammadbhai

2. Aminaben widow of Rasulbhai Mohammadbhai

3. Ismailbhai Rasulbhai

4. Majidbhai Rasulbhai

5. Babubhai Rasulbhai

6. Madinaben Rasulbhai

7. Kusubben Rasulbhai

8. Babuben Rasulbhai

Above all Residing at - Abvel, Ta. Kapadwanj, District - Kheda.

9. Mukeshbhai Shankarbhai Rathod

Residing at Zanda, Ta. Kapadwanj, District - Kheda.

SUBJECT: Suit for Declaration, & Permanent Injunction.

APPEARANCE:

Learned Advocate Mr M. A. SHAIKH for the PLAINTIFF.

Learned Advocate Mr. B.R. PATEL for the DEFENDANT NOS. 1 TO 8.

No body Appeared for Defendant No. 9.

Brief facts giving rise to present petition are as under :-

1. Plaintiff father and father of defendant No. 9 have purchased agricultural land bearing Survey No. 288 Ad-measuring H-1-92-23 Acre Gunthas situated at Abvel Village, Ta. Kapadwanj, District - Kheda (hereinafter refer as to "disputed Property") from ancestor of defendant No. 1 and defendant No. 2 to 8 named Rasulbhai Mohammadbhai. Father of plaintiff and father of defendant no .9 have purchased disputed property since, 40 years back against the consideration of Rs. 39,000/- Out of that, to partition has taken place which distributed among father of plaintiff and

father of defendant No. 9. At the result of partition Eastern Side part i.e. Ad-measuring

0-92-12 (4 vigha) goes to the father of the plaintiff and Western Side part goes to the father of the defendant No. 9. Since then, father of the plaintiff cultivating the land and by hard work make the land fertile and since then, plaintiff father cultivating the disputed property and taking the crops from the same. Plaintiff having the sale and independent possession of the disputed property and cultivating the disputed property from the date of purchased. Now, defendant No. 1 and defendant Nos. 2 to 8 came to record after the demise of Rasulbhai Mohammadbhai. Plaintiff has several kinds asked to the defendant Nos. 2 to 8 for executing the sale deed in favor of the plaintiff but, defendants were give assurance that once the disputed property transform into the old condition then after, they will converted into the name of the plaintiff but, as the time goes defendants only gave the assurance but not implement the same. Moreover, defendants were trying to create charge on the disputed property because names of defendant Nos. 1 to 8 were prevail in revenue records. However, for some reason defendant no. 9 was also match up with defendant Nos. 1 to 8. Therefore, plaintiff has to file this suit.

ORDER

- 1. The present suit preferred by the plaintiff is hereby rejected.**
- 2. No order as to cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 07/02/2020

Additional Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	1500/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	1590/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	1590/-	Final Amount	90/-

Learned Advocate Mr M. A. SHAIKH for the PLAINTIFF.

Learned Advocate Mr. B.R. PATEL for the DEFENDANT NOS. 1 TO 8.

No body Appeared for Defendant No. 9.

Given under my hand & seal of the Court on date FEBRUARY 07, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)

(B.A. PARMAR)

(A. M. VASAVA)

Civil Assistant

Superintendent

Additional Senior Civil Judge

Kapadwanj

(સ.મુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, કા.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No - 60/2013

Registration No: 60/2013

Registered On: 04-10-2013

Decided On: 18-02-2020

Exhibit No: 50

PLAINTIFF:

Legal Heirs of Late Fakarruddin Hakimuddin Khan.

1. Nazmuddin Fakarruddin

2. Aliasgar Fakruddin

Both Residing at - Opposite Sasurni Sheri, Moti Vahorvad, Kapadwanj.

3. Rasida Fakarruddin

Residing at - Majgaon Tares, Nasbir Sheri, Majgaon, Mumbai.

4. Farida Fakarruddin.

Residing at - Majgaon Tares, Nasbir Sheri, Majgaon, Mumbai.

5. Ruabben Fajlehussian

Residing at - Majgaon Tares, Nasbir Sheri, Majgaon, Mumbai.

6. Ismail Gulam Abbas

Residing at - 37, Malbar Menton Garden Road, Kolaba, Mumbai.

DEFENDANTS:

1. Pranjal Alfred Ramaniklal Rathod.

Residing at - Opposite Karkhaniyavad Masjid, Vahorvad, Ta. Kapadwanj. Kheda.

SUBJECT: Suit for Declaration, & Permanent Injunction.

APPEARANCE:

Learned Advocate Mr J. M. CHAUHAN for the PLAINTIFFS.

Learned Advocate Mr. M.Y. MAKEK for the DEFENDANT.

Brief facts giving rise to present petition are as under :-

1. Plaintiff having property bearing City Survey No. 24, 25 & 25-A situated at Kapadwanj as ownership. Plaintiffs residing at Bombay since long and doing their business at Bombay. Plaintiff has given property City Survey No. 24 to the defendant on the basis of rent since then, defendant residing in the property. Plaintiffs do not transfer any rights to the defendant, property bearing survey No.

Page - 2

RCS - 60/2013

25-A ad-measuring 117-05-82 situated at kapadwanj (hereinafter refer to as "Disputed Property"). Plaintiffs have filed suit No. 146/11 against the defendant her recovery of possession of property bearing City Survey No. 24 under the Rent Act Application No. 3/11 against the defendant, both are pending in the Court of Law. Defendant has made hole in the wall and making door for his own use from the South Side and lock that door by which defendant trying to take away the possession of City Survey No. 25-A from the plaintiffs. Plaintiffs have never given any permission to the defendant for the construction in the rented property. But, defendant taking the law in their hand make hole in the wall and make door for his own use. Therefore, plaintiff have filed this suit.

ORDER

1. The present suit preferred by the plaintiff is hereby rejected.

2. No order as to cost.

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 18/02/2020

Additional Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	1750/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	1500/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	3340/-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	3350/-	Final Amount	90/-

Learned Advocate Mr J. M. CHAUHAN for the PLAINTIFFS.
Learned Advocate Mr. M.Y. MAKEK for the DEFENDANT.

Given under my hand & seal of the Court on date FEBRUARY 18, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)

(B.A. PARMAR)

(A. M. VASAVA)

Civil Assistant

Superintendent

Additional Senior Civil Judge

Kapadwanj

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(અ.૨૦, કા.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No - 69/2014

Registration No: 69/2014

Registered On: 28-07-2014

Decided On: 02-03-2020

Exhibit No: 57

PLAINTIFF:

Bhikhabhai Keshavlal Patel

Residing at - Kachhiyavad, Ta. Kapadwanj, District - Kheda.

DEFENDANTS:

1. Deputy Engineer (Town)

Madhya Gujarat Vij Company Ltd. Kapadwanj.

SUBJECT: Suit for Declaration, & Permanent Injunction.

APPEARANCE:

Learned Advocate Mr I. M. MALEK for the PLAINTIFF.

Learned Advocate Mr. P. F. CHAUHAN for the DEFENDANT.

Brief facts giving rise to present petition are as under :-

1. Plaintiff stated that, plaintiff having the property bearing City Survey no. 6218 Ad-measuring 138-79-75 Sq-meters situated at Azad Chawk, Kapadwanj (hereinafter refer to as 'disputed Property'). Plaintiff is the owner of the disputed property by way of succession. Plaintiff has obtained this property from his ancestor and since then, having the title rights over the disputed property. Ancestor of plaintiff named Keshavlal Chhaganlal Patel has given part of the disputed property to "Tarun Hospital" on rent basis in the year, 1968 and another part has been given to Narendrabhai Ambalal Patel of 'Naudurga Press'. Further, part of disputed property given to 'Gujarat State Fertilizer' and rest of the part given to 'Janata Machinery'. Then after, in the disputed property the tenant "Tarun Hospital" has obtained one G.E.B. Connection by consumer No. 01905/00345/5 for their own use. However, in the year 1986, that part of the property has been surrendered to the plaintiff. Then after, plaintiff has started business in the name of 'Prakash Guest House'. Further, plaintiff has obtained possession of another part of

disputed property from the tenant Narendrabhai Ambalal Patel by way of compromise and then plaintiff grand son doing business in the name of 'Ramkishan Cold Drink'. But, Narendrabhai Ambalal Patel, the tenant was obtained two G.E.B. Connections in his name by consumer No. 01905/00349/8 and 01905/00348/0 . Then after, plaintiff has obtained the possession of another part of disputed property from 'Janata Machinery' by filing the suit No. 159/78 and started business in the name of 'Ram Bhojnalaya' according to that plaintiff obtained the possession of the rest of the disputed property from 'Gujarat State Fertilizer' by filing a suit No. 38/2001 and since then, plaintiff having the possession of the whole disputed property but, the G.E.B. Electric Connections which was obtained by the tenants is still running in their name but, plaintiff regularly paid the light bills. On 15-07-2014 when the officers of defendant company Nadiad, came to the checking. It was found that, the meters were running names of tenants. Therefore, the officer of the G.E.B was informed to the plaintiff to transfer the meters in his own name. But, before the checking conducted by the M.G.V.C.L., plaintiff ha already given application on 01.04.2014 for the transfer of the meters in the name of plaintiff. Then also defendant company given letter dated 19.07.2014 stating that, meters were taken on the basis of rent agreement. Therefore, it must renewed by presenting the new rent agreement. Therefore, notice given by the defendant company was not legal and against the law, therefore, plaintiff has filed the suit.

ORDER

- 1. The present suit preferred by the plaintiff is hereby rejected.**
- 2. The plaintiff is hereby directed to approach to the defendant office along with necessary documents to transfer the Electric Connections vide consumer Nos. 01905/00349/5, 01905/00349/8, 01905/00348/0, situated in the property bearing City Survey No. 6218 at Azad Chawk, Ta. Kapadwanj, District - Kheda in his own name without any delay.**
- 3. The defendant company is hereby direct to proceed the change of name procedure for all the three Electric Connections vide consumer No. 01905/00349/5, 01905/00349/8, 01905/00348/0, situated in the property bearing City Survey No. 6218 at Azad Chawk, Ta. Kapadwanj, District - Kheda after obtaining necessary documents from the plaintiff.**
- 4. No order as to cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 02/03/2020

Principal Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	100/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	190-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	190/-	Final Amount	90/-

Learned Advocate Mr I. M. MALEK for the PLAINTIFF.

Learned Advocate Mr. P. F. CHAUHAN for the DEFENDANT.

Given under my hand & seal of the Court on date March 02, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)

(B.A. PARMAR)

(A. M. VASAVA)

Civil Assistant

Superintendent

Additional Senior Civil Judge

Kapadwanj

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, ૫૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No - 74/2016

Registration No: 74/2016

Registered On: 27-10-2016

Decided On: 02-03-2020

Exhibit No: 74

PLAINTIFF:

1. Jagdishbhai Ratnabhai Vankar
2. Rathod Dharmendrakumar Shantilal

Both Residing at Kevadiya, Ta. Kapadwanj, District - Kheda.

DEFENDANTS:

1. Sarpanch Shri Kevadiya
2. Talati- Cum- Mantri Shri,
3. Ambalal Mayjibhai Vankar

All Residing at - Kevadiya, Ta. Kapadwanj, District Kheda.

SUBJECT: Suit for Declaration, & Permanent Injunction.

APPEARANCE:

Learned Advocate Mr. M. S. PATHAN for the PLAINTIFFS.

Learned Advocate Mr. V. G. CHAUHAN for the DEFENDANT NO.1.

Learned Advocate Mr. R. B. LUHAR for the DEFENDANT NO. 2.

Learned Advocate Mr. S. C. CHAUHAN for the DEFENDANT NO. 3.

Brief facts giving rise to present petition are as under :-

1. Plaintiff nos. 1 & 2 both are residing at Kevadiya Village ,Ta. Kapadwanj, District Kheda. Plaintiff No. 2 has purchased property bearing Gram Panchayat No. 448 Paikee from Plaintiff No. 1 Ad-measuring 11-50 Square meters which is open land situated within the boundries of Kevadiya Gram Panchayat (hereinafter refer to as 'disputed Property'). Plaintiff No. 1 having the ownership of disputed property and possession of the same. Plaintiff No. 1 has sold out the said disputed property to the plaintiff No. 2 by registered sale deed No. 1230/2016 since then, plaintiff No. 2 enjoining the disputed property by way of ownership. Plaintiff was applied for permission of construction in the Gram panchayat. Against that, Gram Panchayat after making resolution No. 63 given the permission for construction at

that time, no one has taken objections against the application. But, defendant No. 3 without any lawful right trying to create new rights in the disputed property with the collusion of defendant Nos. 1 & 2. Plaintiff No. 1 was living in disputed property since long with his family. Therefore, defendant Nos. 1 to 3 having no legal right over the disputed property. Moreover, no objections has been raised by other side at the time of execution of registered sale deed. But, defendants were only trying to cause damages to the plaintiffs. Defendant No. 2 has given notice to the plaintiff No. 1 on 10.07.2016 to remove the encroachment. But, that notice was given by the defendants was against the law because defendants have no right to interfere with the possession of the plaintiffs own property. Moreover, defendants were not mentioned the measurements about the encroachment just only gave notice to solve their purpose. Therefore, plaintiffs needs to file this suit.

ORDER

1. **The present suit preferred by the plaintiffs is hereby rejected.**
2. **No order as to cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 02/03/2020

Principal Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	300/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	390-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	390/-	Final Amount	90/-

Learned Advocate Mr. M. S. PATHAN for the PLAINTIFFS.
 Learned Advocate Mr. V. G. CHAUHAN for the DEFENDANT NO.1.
 Learned Advocate Mr. R. B. LUHAR for the DEFENDANT NO. 2.
 Learned Advocate Mr. S. C. CHAUHAN for the DEFENDANT NO. 3.

Given under my hand & seal of the Court on date March 02, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)

(B.A. PARMAR)

(A. M. VASAVA)

Civil Assistant

Superintendent

Additional Senior Civil Judge

Kapadwanj

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, ૫૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No - 70/2015

Registration No: 70/2015

Registered On: 01-08-2015

Decided On: 26-02-2020

Exhibit No: 19

PLAINTIFF:

Dakshaben D/o Chandubhai Maganbhai Parmar

Residing at Parmarvas at Ganeshpura, Ta. Bayad, District - Arvalli.

DEFENDANTS:

Kiritbhai Dahyabhai Patel

Residing at Bhojana muvada, Ta. Kapadwanj District Kheda.

SUBJECT: Suit for Declaration, & Cancellation.

APPEARANCE:

Learned Advocate Mr. M. A. SHAIKH for the PLAINTIFF.

Learned Advocate Mr. B. R. PATEL for the DEFENDANT.

Brief facts giving rise to present petition are as under :-

1. Plaintiff grand father name Maganji Meraji having agricultural land bearing Survey No. 68/2 situated at Lal Mandva (hereinafter refer as 'disputed Property')/ In the presence of Maganji Meraji administration of the property has been done by the father of the plaintiff and her uncle. Then after, disputed property become dissolved by way of mutual family partitioned, disputed property comes in the share of father of plaintiff name Chandubhai Maganbhai. Therefore, plaintiff having ancestral right in the disputed property. But, father of the plaintiff comes in the collusion with the defendant and executed registered sale deed No. 938/09 in favor of the defendant on 20.06.2009. Then after, new registration No. 1139/2011 has been mutated on 06.05.2011. Plaintiff came to know about the so called transaction on 29.07.2015 after plaintiff obtained certified copies of revenue records. Therefore, plaintiff came to file this suit.

ORDER

- 1. The present suit preferred by the plaintiff is hereby rejected.**
- 2. No order as to cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 26/02/2020

Principal Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	100/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	13/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	190-	TOTAL	90/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	190/-	Final Amount	90/-

Given under my hand & seal of the Court on date February 26, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)

(B.A. PARMAR)

(A. M. VASAVA)

Civil Assistant

Superintendent

Additional Senior Civil Judge

Kapadwanj

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, ૫૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No - 56/2018

Registration No: 56/2018

Registered On: 27-06-2018

Decided On: 09-03-2020

Exhibit No: 27

PLAINTIFF:

State Bank of India,

Nirmali Branch, Nirmali,

Ta. Kapadwanj, District - Kheda,

DEFENDANTS:

Rajendrakumar Udaisinh Solanki

Residing at Betavada, Ta. Kapadwanj District Kheda.

SUBJECT: Suit for Recovery of Money of Rs. 2,08,050.

APPEARANCE:

Learned Advocate Mr. P. H. DAVE for the PLAINTIFF.

Ex-parte for the DEFENDANT.

Brief facts giving rise to present petition are as under :-

1. According to the plaintiff, plaintiff bank is Nationalized Bank and having its Corporate Office at Bombay. Moreover, having their branches in different city out of that, plaintiff bank having its sub-branch at Nirmali, Ta. Kapadwanj, District Kheda.

2. Defendant of the suit has applied for agricultural Loan dated 10.03.2013 which application was approved by the bank on 14.05.2013 and sanctioned loan of Rs. 2,31,000/-. Defendant has signed all the documents as per the norms of the bank. Moreover, defendant was agreed to pay loan at the rate of 7% per annum. Defendant having agriculture land bearing Survey No. 167 at Bhugadiya Village. Defendant has created charge for obtaining loan on all revenue survey No. 2419 dated 09.05.2013. Plaintiff bank has given several reminder to the defendant for the repayment of loan but, defendant did not repay the loan amount within

stipulated time. Therefore, plaintiff bank has given notice through their advocate on 30.04.2018 which was served to the defendant on 10.05.2018 then also

Page No. 2

RCS 56/2018

defendant did not repay the outstanding the loan amount. Therefore, plaintiff bank has to file the suit.

ORDER

- 1. The present suit preferred by the plaintiff is hereby partly Allowed.**
- 2. Defendant is hereby directed to repay the amount of Rs. 2,08,050/- (Two lakhs Eight Thousand & Fifty Only) @ 8 per annum to the plaintiff bank.**
- 3. Both the parties do bear their own cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 09/03/2020

Principal Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	8150/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	00/-
Process Fee	13/-	Process Fee	00/-
Pleader's Fee	75/-	Pleader's Fee	00/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	8240/-	TOTAL	00/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	8240/-	Final Amount	00/-

Learned Advocate Mr. P. H. DAVE for the PLAINTIFF.
Ex-parte for the DEFENDANT.

Given under my hand & seal of the Court on date March 09, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)
Civil Assistant

(B.A. PARMAR)
Superintendent

(A. M. VASAVA)
Additional Senior Civil Judge
Kapadwanj

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, કા.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No - 58/2018

Registration No: 58/2018

Registered On: 27-06-2018

Decided On: 09-03-2020

Exhibit No: 26

PLAINTIFF:

State Bank of India,

Nirmali Branch, Nirmali,

Ta. Kapadwanj, District - Kheda,

DEFENDANTS:

Kanaji Vaghaji Rathod

Residing at- Talpoda (Post - Nirmali), Ta. Kapadwanj District Kheda.

SUBJECT: Suit for Recovery of Money of Rs. 4,07,891/-.

APPEARANCE:

Learned Advocate Mr. P. H. DAVE for the PLAINTIFF.

Ex-parte for the DEFENDANT.

Brief facts giving rise to present petition are as under :-

1. According to the plaintiff, plaintiff bank is Nationalized Bank and having its Corporate Office at Bombay. Moreover, having their branches in different city out of that, plaintiff bank having its sub-branch at Nirmali, Ta. Kapadwanj, District Kheda.

2. Defendant of the suit has applied for agricultural Loan dated 04.04.2013 which application was approved by the bank on 07.05.2013 and sanctioned loan of Rs. 3,64,000/-. Defendant has signed all the documents as per the norms of the bank. Moreover, defendant was agreed to pay loan at the rate of 7% per annum. Defendant having agriculture land bearing Survey No. 50 & 53 at Talpoda Village. Defendant has created charge for obtaining loan on all revenue survey No. 445 dated 06.05.2013. Plaintiff bank has given several reminder to the defendant for the repayment of loan but, defendant did not repay the loan amount within

stipulated time. Therefore, plaintiff bank has given notice through their advocate on 30.04.2018 which was served to the defendant on 08.05.2018 then also

Page no. 2

RCS 58/2018

defendant did not repay the outstanding the loan amount. Therefore, plaintiff bank has to file the suit.

ORDER

- 1. The present suit preferred by the plaintiff is hereby partly Allowed.**
- 2. Defendant is hereby directed to repay the amount of Rs. 4,07,891/- (Four lakhs Seven Thousand Eight Hundred and Ninety One) @ 8 per annum to the plaintiff bank.**
- 3. Both the parties do bear their own cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 09/03/2020

Principal Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	12,150/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	00/-
Process Fee	13/-	Process Fee	00/-
Pleader's Fee	75/-	Pleader's Fee	00/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	12,240/-	TOTAL	00/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	12,240/-	Final Amount	00/-

Learned Advocate Mr. P. H. DAVE for the PLAINTIFF.
Ex-parte for the DEFENDANT.

Given under my hand & seal of the Court on date March 09, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)
Civil Assistant

(B.A. PARMAR)
Superintendent

(A. M. VASAVA)
Additional Senior Civil Judge
Kapadwanj

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, કા.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

SPCS (OM) No - 40/2018

Registration No: 40/2018

Registered On: 27-11-2018

Decided On: 07-03-2020

Exhibit No: 35

PLAINTIFF:

Maniben widow of Khodabhai Nathabhai Talpada

Residing at - Talav Fadiyu, Kathlal, Ta. Kathlal, District - Kheda.

DEFENDANTS:

1. Lalitaben widow of Bajibhai Becharbhai Talpada

2. Babyben widow of Gopalbhai Bajibhai and mother of Minor

Jay Gopalbhai & Hitesh Gopalbhai Talpada.

Both Residing at Near Primary School, Bhaner, Ta. Kathlal, District Kheda.

3. Champaben widow of Dulabhai Becharbhai Talpada.

4. Vijaybhai Dulabhai Talpada

5. Sanjaybhai Dulabhai Talpada.

6. Dalsukhbhai Khodabhai Talpada.

7. Jamabhai Joyabhai Talpada

Defendant No. 3 to 7 Residing at - Krupa Society, Ta. Kathlal, District - Kheda.

8. Lilaben Jayantibhai Talpada and mother of Minor Sapanaben Jayantibhai Talpada

Residing at - 1833, Chopati Salon, At - Nadiad, District Kheda.

9. Patel Jitendrabhai Arvindbhai

Residing at - Lakhuji ni Khadki, at Palaan, Ta. Nadiad, District Kheda.

SUBJECT: દાવો રૂ ૩૮,૨૩,૦૦૦/-ના આંકથી રજીસ્ટર્ડ વેચાણ દસ્તાવેજ રદ બાતલ જાહેર કરવા તેમજ જાણુનો મનાઈ હુકમ મેળવવા માટે.

APPEARANCE:

Learned Advocate Mr. R. B. LUHAR for the PLAINTIFF.

દાવાની ટુંકી વિગત :-

1. મોઢે ગામ કઠલાલ, તા. કઠલાલ જિ બેડાના સીમના ખાતાં નં ૨૯૧ જેનો રેવન્યુ સર્વે નંબર ૩૬૩/૧ જેનું ક્ષેત્રફળ હે. ૦-૬૩-૭૦ આરે જેના આકાર રુ. ૪-૮૩ પૈસા વાળી ખેતી વિષયક જુની શરતની જમીન જે જમીન હાલ મા કઠલાલ સર્વે માં ગયેલ છે. જે જમીન સર્વે નં. ૩૬૩/૧ તથા ૩૬૩/૨ નું એકત્રીકરણ થઈ ગયેલ છે. પરંતુ સીટી સર્વે મા બન્ને નંબર મા સર્વે નંબર ૩૬૩/૧, જેનો સીટી સર્વે નંબર - ૮૮૮ તથા સર્વે નંબર ૩૬૩/૨, જેનો સીટી સર્વે નંબર - ૮૯૦ પડેલ છે. આમ કઠલાલ ગામતળ ની જમીનનો સીટી સર્વે મા આવરી લીધેલ છે. જેથી ગામના નમુના નંબર- ૭/૧૨ નું પાનુ બંધ કરવા મા આવેલ છે. વધુમાં વાદીના વન્ને બાળકો ને વાદીના જેઠ બેચરભાઈ નાથાભાઈ તળપદા તથા તેમના છોકરાઓ એ ઉછેરી ને મોટા કર્યો હતા. અને વાદી ના બન્ને બાળકો તેમના વશ મા હતા. દાવાવાળી જમીન અમો વાદી તથા પ્રતિવાદી નં. (૮) સહીચારી માલીકી ની હતી. અને જે દાવાવાળી જમીન ની કોઈ વહેચણી કરવા મા આવેલ ન હતી. અને રેવન્યુ રેકર્ડ ઉપર સચુક્રત માને ચાલતી હતી. વાદીના સમાજના માણસો થી જાણવા મળેલ કે આ કામના પ્રતિવાદી નં. (૧) થી (૮) બેગા મળી સદર દાવાવાળી જમીન અંકુરભાઈ બળવંતરાય જોષી તથા ભીમાજી બબાજી વણજારા મારફતે આ કામના પ્રતિવાદી નં. ૯ નાઓ ને જમીન વેચી દિધેલ જેના ભાગ ના રુપીયા આ કામના પ્રતિવાદીનં ૬ નાએ વકીલ મામલતદાર કચેરી તથા સબ રજીસ્ટ્રાર કચેરી મા ખાત્રી કરી દાવાવાળી જમીન ની સહી સીકકા વાળી નકલ મેળવેલ હતી. ત્યારે વાદીને નકલો જોતા જાણવા મળેલ કે અમો વાદી હયાત હોવા છતા તારીખ- ૦૫/૧૦/૨૦૧૧ ના રોજ વાદી નું મરણ બતાવ્યું હતું. અને તા. ૦૮/૧૧/૨૦૧૧ ના રોજ મરણની નોંધણી કઠલાલ નગરપાલિકા મા કરાવવા મા આવેલ હતી. આ કામના પ્રતિવાદીઓએ તેમના મળતીયા ઈસમો સાથે મળી જઈ રાજકીય લાગવગ નો ઉપયોગ કરી ખોટા અને બનાવટી દસ્તાવેજો ઉભા કરી સદરહુ દાવાવાળી જમીન આ કામના પ્રતિવાદીનં ૧ થી ૮ નાઓએ પ્રતિવાદીનં ૯ નાઓને કહેવાતા આઘાટ વેચાણ રજી. વેચાણ દસ્તાવેજ ન. ૧૫૦૪/૨૦૧૪ થી અઘાટ વેચાણ આપી દીધેલ છે. અને આ રીતે અમો વાદીનો દાવાવાળી જમીન મા રહેલો કાયદેસરનો હુકક અને અધિકાર ને નુકસાન પહોચાડેલ છે. અને અમો વાદી નો કાયદેસરનો હુકક અને અધિકાર છીનવી લેવાનો પ્રયત્ન કરેલ છે.

2. દાવાવાળી પેરા (૧) મા જણાવેલ મોઢે ગામ કઠલાલ તા. કઠલાલ - જિ બેડાના સીમના ખાતા નં. ૨૯૧ જેનો રેવન્યુ સર્વે નંબર - ૩૬૩/૧ જેનું ક્ષેત્રફળ હે. ૦-૬૩-૭૦ આરે જેના આકાર રુ. ૪-૮૩ પૈસા વાળી ખેતી વિષયક જુની શરત ની જમીન જે જમીન હાલ મા કઠલાલ સીટી સર્વે ગયેલ છે. જે જમીન સર્વે નં. ૩૬૩/૧ તથા સર્વે નં ૩૬૩/૨ નું એકત્રીકરણ થઈ ગયેલ છે. પરંતુ સીટી સર્વે મા બન્ને નંબર મા સર્વે નં. ૩૬૩/૧, જેનો સીટી સર્વે નં. ૮૮૮ તથા સર્વે નં. ૩૬૩/૨ જેનો સીટી સર્વે નંબર- ૮૯૦ પડેલ છે. તે દાવાવાળી જમીન નો આ કામના પ્રતિવાદી નં. ૧ થી ૮ એ પ્રતિવાદી નં ૯ ના ને કરી

આપેલ કહેવાતો રજીસ્ટર્ડ અઘાટ વેચાણ દસ્તાવેજ નં. ૧૫૦૪/૨૦૧૪ તારીખ - ૧૧/૧૨/૨૦૧૪ રોજ નો અઘાટ વેચાણ રજીસ્ટર્ડ દસ્તાવેજ અમો વાદીના હુકક હિત વિરુદ્ધ નો હોઈ જેથી મજકુર કહેવાતો રજીસ્ટર્ડ વેચાણ દસ્તાવેજ ગેરકાયદેસર અને રદ બાતલ ઠરાવી અમો વાદી નો દાવાવાળી જમીન મા અમો વાદીના પતિ ગુજરનાર ઓડાભાઈ નાથાભાઈ તળપદા નો વારસદાર તરીકે અમો વાદીનો કાયદેસર નો હુકક હિસ્સો અધિકાર આવેલ છે. તેવું ઠરાવી અમો વાદીના લાભ મા આ કામ ના પ્રતિવાદીઓ વિરુદ્ધ હુકમ તથા હુકમનામું કરી આપવા સારુ દાવો દાખલ કરેલ છે.

ORDER

- 1. The present application preferred by the defendants is hereby allowed.**
- 2. The present suit filed by the plaintiff is hereby rejected as per Order - 7 Rule 11 (d) of the Civil Procedure, 1908.**
- 3. No order as to cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 07/03/2020

Principal Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	45,550/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	13/-
Pleader's Fee	1975/-	Pleader's Fee	1975/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	47,540/-	TOTAL	1990/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	47,540/-	Final Amount	1990/-

Given under my hand & seal of the Court on date March 09, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)
Civil Assistant

(B.A. PARMAR)
Superintendent

(A. M. VASAVA)
Additional Senior Civil Judge
Kapadwanj

(સ.મુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, ૪૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No - 63/2017

Registration No: 63/2017

Registered On: 14-06-2017

Decided On: 27-01-2020

Exhibit No: 33

PLAINTIFF:

State Bank of India,
Azad Chowk Branch, Kapadwanj,
Ta. Kapadwanj, District - Kheda,

DEFENDANTS:

Heirs of Late Shankarbhai Jenabhai Zala
1. Naniben widow of Shankarbhai Jenabhai Zala.
2. Nanduben Shankarbhai Zala.
3. Bharatsinh Shankarbhai Zala.
4. Pravinsinh Shankarbhai Zala (Deleted)
5. Laxmiben Shankarbhai Zala.

Residing at- Nanpura (Post - Deroli), Ta. Bayad District Arravalli.

SUBJECT: Suit for Recovery of Money of Rs. 2,18,216/-.

APPEARANCE:

Learned Advocate Mr. P. H. DAVE for the PLAINTIFF.
For Defendant Nos. 1, 2, 3 & 5 Suit Proceed Ex- Parte.

Brief facts giving rise to present petition are as under :-

1. Plaintiff has bank is nationalized Bank and doing banking business. Plaintiff bank having Corporate Office at Mumbai and different Zonal Office at different districts out of them Sub-office situated at Kapadwanj Taluka, District - Kheda. Late Shankarbhai Jenabhai Zala and defendant No. 3 were applied for agricultural loan in plaintiff bank on the basis of Kisan Credit on 21.05.2011, that application was approved by bank on 15.07.2011 for loan of Rs. 1,25,000/-. Late Shankarbhai Jenabhai Zala and defendant No. 3 were applied for loan after fulfilling necessary documents as per the norms of the bank and charged was created on property bearing Survey Nos. 479/1, 479/10, 480/14, 480/18, 480/4 & 489/1 for which mutation entry No. 1232 inserted in revenue records on 12.07.2011. Defendant No. 3 as well as, Late Shankarbhai Jenabhai Zala were legally liable to repay the loan amount as per loan Khata No. 31837491521 to the plaintiff bank but, plaintiff constantly avoiding to repay the loan amount, therefore, plaintiff has to filed this suit.

ORDER

- 1. The present suit preferred by the plaintiff is hereby partly Allowed.**
- 2. Defendant are hereby directed to repay the amount of Rs. 2,18,216/- (Two lakhs Eighteen Thousand Two Hundred and Sixteen) @ 8 per annum to the plaintiff bank.**
- 3. Both the parties do bear their own cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 17/01/2020

Principal Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	8,350/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	00/-
Process Fee	13/-	Process Fee	00/-
Pleader's Fee	75/-	Pleader's Fee	00/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	8.440/-	TOTAL	00/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	8, 440/-	Final Amount	00/-

Learned Advocate Mr. P. H. DAVE for the PLAINTIFF.
Ex-parte for the DEFENDANTS.

Given under my hand & seal of the Court on date January 27, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)
Civil Assistant

(B.A. PARMAR)
Superintendent

(A. M. VASAVA)
Additional Senior Civil Judge
Kapadwanj

(સ.મુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, ૫૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No -73/2014

Registration No: 73/2014

Registered On: 19-08-2014

Decided On: 16-10-2020

Exhibit No: 94

PLAINTIFF:

1. LEGAL HEIRS OF LATE NANDUBHAI JIVRAM BHATT

1/A. HASUMATIBEN WIDOW OF NANDUBHAI JIVRAM BHATT

1/B. PANNABEN D/O NANDUBHAI BHATT

1/C. USHABEN D/O NANDUBHAI BHATT

1/D. SHAILESHKUMAR NANDUBHAI BHATT

1/E. MEENABEN D/O NANDUBHAI BHATT

1/F. MAYABEN D/O NANDUBHAI BHATT

1/G. AMITBHAI NANDUBHAI BHATT (DELETED)

ALL RESIDING AT : VAGJIPUR, TA. KAPADWANJ, DISTRICT KHEDA.

LEGAL HEIRS OF SHANALAL @ CHHANALAL JIVRAM BHATT

2. RAMESHBHAI CHHANALAL BHATT

PRESENTLY RESIDING AT : VIRAMGAM , DISTRICT- AHMEDABAD.

3. RAJESHBHAI CHHANALAL BHATT

4. MAHESHBHAI CHHANLAL BHATT

5. GEETABEN CHHANLAL BHATT

PLAINTIFF NO. 3 TO NO. 5 RESIDING AT : VAGHJIPUR, TA.KAPADWANJ,
DISTRICT- KHEDA.

DEFENDANTS:

1. RANJEETSINH ADESINH ZALA

RESIDING AT : VAGJIPUR, TA. KAPADWANJ, DISTRICT KHEDA.

SUBJECT: Suit for redemption of mortgage property.

APPEARANCE:

Learned Advocate Mr. J. M. CHAUHAN for the PLAINTIFFS.

Learned Advocate Mr. V. A. ZALA for the Defendant

Page no. 2

RCS 73/2014

Brief facts giving rise to present petition are as under :-

1. Plaintiffs having agricultural land bearing Survey No. 159 ad-measuring H.0-78-91 at Vaghjipur ta. Kapadwnaj, district kheda, (hereinafter referred to as 'Disputed Property'). Defendant of the suit and Udesinh Nathusinh Zala, agreed to purchase the disputed property by way of sale on 11-08-1988 against Rs. 22,000/- for which agreement of sell was also executed on 11-08-1988 at the time of agreement of sell, defendant gave Rs. 17,000/- as token amount and rest of Rs.5000/- will be given after executing the sale deed. There are certain conditions an Agreement to Sell which both the parties have to fulfill after the executing of Agreement to Sell. The executor of Agreement to Sell Shanalal @ Chhanalal Jivram Bhatt was expired and heirs of Shanalal came on record i.e. Plaintiff Nos.2 to 5. Thenafter, Udesinh Nathusinh Zala also expired without any heirs. According to terms and conditions of the Agreement to Sell, thatafter expiry of four years, plaintiffs showing the willingness to repay the amount of Rs.17000/- to the defendant and asking for the permission of the disputed property. But, defendant did not accept the amount of agreement to sell and did not handover the possession of the disputed property to the plaintiffs. Then after on 31.07.2014 plaintiffs served legal notice to the defendants through their advocate against which their defendant wage reply on 08-08-2014. therefore, plaintiffs have to file this suit for obtaining the possession of the disputed property form the defendant.

ORDER

1. The present suit preferred by the plaintiffs is hereby rejected.

2. No order as to cost.

Learned Advocate Mr. J. M. CHAUHAN for the PLAINTIFFS.

Learned Advocate Mr. V. A. ZALA for the Defendant

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 16/01/2020

Principal Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Page - 3

RCS - 73/2014

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	1700/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	08/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	1500/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	3290/-	TOTAL	85/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	3290/-	Final Amount	85/-

Learned Advocate Mr. J. M. CHAUHAN for the PLAINTIFFS.

Learned Advocate Mr. V. A. ZALA for the Defendant

Given under my hand & seal of the Court on date October 16, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)
Civil Assistant

(B.A. PARMAR)
Superintendent

(A. M. VASAVA)
Additional Senior Civil Judge
Kapadwanj

(સ.મુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, ૫૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No -61/2016

Registration No: 61/2016

Registered On: 05-08-2016

Decided On: 26-10-2020

Exhibit No: 82

PLAINTIFF:

VIPULBHAI RAVCHANDBHAI PATELIYA

RESIDING AT ; KASHIPURA, TA KAPADWANJ, DISTRICT – KHEDA.

DEFENDANTS:

1. BALABHAI ADAJI THAKOR

RESIDING AT ; KASHIPURA, TA KAPADWANJ, DISTRICT – KHEDA.

2. KALIBEN D/O ADAJI THAKOR @ WIFE OF KALAJI

RESIDING AT : NAVAMUVADA AT DANTALI, TA – KAPADWANJ

3. MADHUBEN D/O ADAJI THAKOR AND WIFE OF MANGALBHAI

RESIDING AT : DANTALI, TA – KAPADWANJ, DIST – KHEDA.

4. REVABEN WIDOW OF BHIKHABHAI VIRABHAI THAKOR

5. MANGALBHAI BHIKHABHAI THAKOR

4 AND 5 RESIDING AT ; KASHIPURA, TA KAPADWANJ, DISTRICT – KHEDA.

SUBJECT: Suit for Declaration & permanent Injunction .

APPEARANCE:

Learned Advocate Mr. B. R. PATEL for the PLAINTIFF.
Learned Advocate Mr. J. B. MARWADI for the DEFENDANTS.

Brief facts giving rise to present petition are as under :-

1. Defendant Nos. 1 to 3 having agricultural land bearing Survey No. 262/2 ad-measuring H-0-45-53 and defendant no 4 & 5 having agricultural land bearing Survey No. 462/1 ad-measuring H-0-44-52 situated at Kavath village Ta. Kapadwanj dist. Kheda (hear in after referred to as 'disputed property'). Defendant No.1 and father of defendant no 4 & 5 are the kartas of disputed property and grand father of the plaintiff named Bhagabhai Ranchhodbhai Patel asked by Defendant No. 1 and father of defendant no. 4 & 5 to purchase the disputed

Page no. 2

RCS 61/2016

property in the year , 1978 i.e. almost 38 years ago against consideration of Rs. 4000/-. Grandfather of the plaintiff has given the considerational amount to the defendant no. 1 & father of defendant no 4 & 5 in the presence of family members and since then, plaintiff grandfather having the sole and individual possession of the disputed property. Defendant of the suit has been asked several times for executing sale did in regard of disputed property, but defendant avoiding the same by several reasons. Plaintiff enjoying the possession of disputed property since last 38 years. Moreover, plaintiff paying the revenues for the disputed property. Therefore, plaintiff also become owner by way of adverse possession. Moreover, defendants illegally trying to snatch away the property from the plaintiff because of the land nowadays hiked, therefore, plaintiff has to bring the suit.

ORDER

- 1. The present suit preferred by the plaintiffs is hereby rejected.**
- 2. No order as to cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 26/10/2020

Principal Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	600/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	08/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	690/-	TOTAL	85/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	690/-	Final Amount	85/-

Learned Advocate Mr. B. R. PATEL for the PLAINTIFF.
Learned Advocate Mr. J. B. MARWADI for the DEFENDANTS.

Given under my hand & seal of the Court on date October 26, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)
Civil Assistant

(B.A. PARMAR)
Superintendent

(A. M. VASAVA)
Additional Senior Civil Judge
Kapadwanj

(સ.મુ.વ.) -૩૬૦-૫૦,૦૦૦-૧-૨૦૦૭

Page - 1

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, ૫૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RCS (OM) No -66/2014

Registration No: 66/2014

Registered On: 27-07-2014

Decided On: 03-10-2020

Exhibit No: 69

PLAINTIFF:

1. SANTABEN WIDOW OF BHAIJIBHAI SADABHAI
2. CHANDUBHAI BHAIJIBHAI SODHA
3. MADHUBEN D/O BHAIJIBHAI SADABHAI SODHA
4. SAMUBEN BHAIJIBHAI SADABHAI SODHA
5. VIMALABEN BHAIJIBHAI SADABHAI SODHA

ALL RESIDING AT, MALAITADI, BARAIYABHAG, TA.KAPADWANJ,
DIST. KHEDA

DEFENDANTS:

LEGAL HEIRS OF LATE MANABHAI MATHURJI SODHA

1. RAMESHBHAI MANABHAI SODHA
2. SHANABHAI MANABHAI SODHA
3. HAJUBEN WIDOW OF MANNABHAI
4. PRATBHAI BHAJI MATHURBHAI SODHA
5. MANGUBHAI DAHYABHAI SODHA

1 TO 5 RESIDING AT, MALAITADI, BARAIYABHAG, TA.KAPADWANJ,

6. MANEKBEN AMARSINH SODHA

RESIDING AT : MAHARAJVALU, TA. THASRA, DIST – KHEDA.

7. HIRABEN WIDOW OF NATVARBHAI SODHA

RESIDING AT, MALAITADI, BARAIYABHAG, TA.KAPADWANJ,

8. DHULIBEN NATVARBHAI CHAVDA

9. SUDHABEN DALPATBHAI CHAVDA

8 & 9 RESIDING AT : EKALVELU, TA. THASRA, DISTRICT – KHEDA.

10. JASHVANTBHAI NATVARBHAI SODHA

RESIDING AT : MALAIYATADI, BARIYABHAG, TA. KAPADWANJ

page 2

RCS – 66/2014

SUBJECT: Suit for Declaration

APPEARANCE:

Learned Advocate Mr. D.J. SHARMA for the PLAINTIFFS.

Learned Advocate Mr. P. F.CHAUHAN for the DEFENDANTS.

Brief facts giving rise to present petition are as under :-

1. Ancestors of the plaintiffs named Bhaiji Sadaji has obtained land bearing Survey no. 20 Khata No. 83 ad- measuring H-3-03-52 situated at Malaitadi Baraiyabhag, Village, Ta. Kapadwanj, District – kheda. (hereinafter referred to as 'disputed Property'), by way of tenancy for which revenue entry No. 695 dated 26-01-1955 has been mutated, but, defendants ancestor named Mathurji Galabji has been entered his name in record of rights fraudulently and after the demise of Mathurji Galabji name of their heirs has been inserted. Ancestor of plaintiffs are sole owner and possessor of the disputed property and after the demise of Bhaijibhai , plaintiffs became the owner and possessor of the disputed property.

2. Defendants have taken away the Northern Side of the disputed property without any lawful right. However, plaintiffs withhold the rest of the part from Southern Side. Moreover, disputed property runs in the joint names of plaintiffs and defendants and as per the revenue records, both are the owner of half- half share of the disputed property. Plaintiffs were applied several times for connections and the agricultural loan in the bank, but due to the joint owner in the disputed property. Defendants never co-operate with the plaintiffs which makes unnecessary trouble to the plaintiffs. Plaintiffs want partitioned the disputed property on record up to his own share Ad-measuring H-1-51-56, but defendants not operating for doing so. Therefore, plaintiffs on 26.06.2014 given notice through their advocate but, defendants had never replied that notice. Therefore, plaintiffs have to file this suit.

ORDER

1. The present suit preferred by the plaintiffs is hereby rejected.

2. No order as to cost.

s/d

KAPADWANJ

Date: 03/10/2020

(Atul Mohanbhai Vasava)

Principal Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Page - 3

RCS - 66/2014

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	10/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	08/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	100/-	TOTAL	85/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	100/-	Final Amount	85/-

Learned Advocate Mr. D.J. SHARMA for the PLAINTIFFS.

Learned Advocate Mr. P. F.CHAUHAN for the DEFENDANTS.

Given under my hand & seal of the Court on date October 03, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)

(B.A. PARMAR)

(A. M. VASAVA)

Civil Assistant

Superintendent

Additional Senior Civil Judge

Kapadwanj

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, ૬૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

H.M.P. No -34/2019

Registration No: 34/2019

Registered On: 02-07-2019

Decided On: 12-12-2020

Exhibit No: 20

PETITIONER-1:

Hiral Bharatkumar Bhatt w/o Dharmeshkumar K Shukla

Residing at – 48/A Shivam Park Society, Dakor Road, Ta – Kapadwanj, Dist – Kheda

Present address at – Anand Residency – 1 Kapadwanj Road, Post Dehgam,

Ta – Dehgam, District – Gandhinagar.

PETITIONER- 2:

Dharmeshkumar Kanaiyalal Shukla

Residing at – C- 652, Lalbhai Pat, Lallubhai Chakla, Ta, Dist – Bharuch.

SUBJECT: Hindu Marriage Petition U/S 13 (B) (1)

APPEARANCE:

Learned Advocate Mr. R.M. TRIVEDI for the PETITIONERS.

Brief facts giving rise to present petition are as under :-

1. The petitioner Hiralben and Dharmeshkumar have preferred present petition u/s 13 (B) (1) of the Hindu Marriage Act, 1955 for the decree of divorce with consent.
2. Both the applicants solemnized their marriage on 16.02.1997 according to the Hindu religion at – Kapadwanj Ta. District Kheda. Registration of the marriage has been done at Registrar Shri Kapadwanj by No. 22/1997 (Page – 89, Volume – 14, dated 26-03-1997). Since then both the petitioners live as husband and wife and perform all the rights and duties of husband and wife. Out of the wedlock the petitioner has begotten with 2 children, one name Rucha age 21 years another name

Bhavya age 8 years. According to the petition marriage of both the petitioners runs successfully till the birth of the second child and after that constantly disputed arises between both of them, disputes arises between both of them, disputes like

Page 2

HMP – 34/2019

social, financial, economical etc. Therefore, petitioner No. 1 on 25-05-2016 came to her father house. Since then both the petitioner lives separately and after several efforts for compromise came to the conclusion that both the petitioner will never remain together together under the one roof. Therefore, they decided to dissolve the marriage by mutual consent. Both the petitioner have decided of the terms and conditions of there future needs and maintenance. Moreover, both the kids stay with petitioner No. 2, therefore there is no dispute regarding for there maintenance in future. Moreover, petitioner No. 1 leaves all the rights for never ask for the maintenance from petitioner No. 2. Therefore this petition filed by the both the petitioner under section 13 clause B of Hindu Marriage Act 1956.

ORDER

- 1. The present petition is hereby allowed.**
- 2. The marriage solemnized and Registered vide No. 22/1997 on date : 16.02.1997 between petitioner No. 1 Hiral Bhatt and petitioner No. 2 Dharmeshkumar Shukla is hereby stands dissolve from the date of this order.**
- 3. No order as to costs.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 29/12/2020

Principal Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	50/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	00/-
Process Fee	08/-	Process Fee	00/-
Pleader's Fee	75/-	Pleader's Fee	00/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	135/-	TOTAL	00/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	135/-	Final Amount	00/-

Learned Advocate Mr. R. M. TRIVEDI for the PETITIONERS.

Given under my hand & seal of the Court on date DECEMBER 29, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)

(B.A. PARMAR)

(A. M. VASAVA)

Civil Assistant

Superintendent

Additional Senior Civil Judge

Kapadwanj

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, કા.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

H.M.P. No -14/2019

Registration No: 14/2019

Registered On: 14-03-2019

Decided On: 01-01-2021

Exhibit No: 20

PETITIONER:

Digvijaysinh Ratilal Parmar

Residing at Saikrupa Society Near Parikh Ice Factory,

Ta – Kapadwanj, District Kheda.

OPPONENT:

Rinkuben D/o Arvindbhai Purushotamdas Bhatt

Residing at Jalaram Park, Near Parikh Ice Factory, Ta – Kapadwanj,

District Kheda.

SUBJECT: Hindu Marriage Petition U/S 13

APPEARANCE:

Learned Advocate Mr. J. B. MARWADI for the PETITIONER.

Learned Advocate Mr. D. J. SHARMA for the OPPONENT.

Brief facts giving rise to present petition are as under :-

1. The petitioner Digvijaysinh Ratilal Parmar, has preferred present petition u/s 13 of the Hindu Marriage Act, 1954 for the decree of Divorce.
2. Short facts of the petition is both the petitioner and opponent fall in love with each other and getting marriage on 03.11.2014. Marriage was registered at Kalupur Ward Ahmedabad Municipal Corporation by registration No. 4254 volume No. 3.
3. After marriage both the petitioner and opponent live together and enjoying matrimonial rights but, after sometime of marriage both having no understanding with each other, both are from different caste. Therefore, differences arises and

conclude with the quarrel but, by the passing of time they continued their marriage life without any enjoyment. Therefore, petitioner and opponent came to realize that, this marriage will not survive for long. Therefore, on 25.06.2017 both petitioner and opponent agreed to execute divorce deed. Therefore, on stamp paper

Page 2

HMP – 14/2019

of Rs. 100/- divorce deed was executed by consent of both the parties before notary Shri K. B. Chauhan by notary serial No. 1111/2017. Since then both the party lives separately and stop to enjoys any matrimonial rights and duties. Therefore, petitioner has filed this peition and seeking divorce decree because their marriage will not survive for long and there is no scope for reunion between both the parties.

ORDER

- 1. The present petition of the petitioner is hereby allowed.**
- 2. The marriage solemnized and Registered vide No. 03/4254 on date : 03.11.2014 between petitioner Digvijaysinh Ratilal Parmar and Opponent Rinkuben W/o Arvindbhai Purushotamdas Bhatt is hereby stands dissolved from the date of this order.**
- 3. No order as to costs.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 01/01/2021

Principal Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	50/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	08/-	Process Fee	08/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	135/-	TOTAL	85/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	135/-	Final Amount	85/-

Learned Advocate Mr. J. B. MARWADI for the PETITIONER.

Learned Advocate Mr. D. J. SHARMA for the OPPONENT.

Given under my hand & seal of the Court on date January 01, 2021.

Drawn by

Compared by

(M.P.GOSWAMI)

(B.A. PARMAR)

(A. M. VASAVA)

Civil Assistant

Superintendent

Additional Senior Civil Judge

Kapadwanj

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, ૫૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

SP.C.S No -132/2017

Registration No: 132/2017

Registered On: 11-05-2017

Decided On: 13-03-2020

Exhibit No: 32

PLAINTIFF:

State Bank of India, Azad Chowk, Branch,

Ta – Kapadwanj, District Kheda.

DEFENDANTS:

1) Balvantsinh Kalusinh Solanki

2) Niruben Kalusinh Solanki

3) Fatiben Kalusinh Solanki

Residing at – Ramjina Muvada, Post – Deroli, Ta. Bayad, District – Kheda.

SUBJECT: Suit for Recovery of Money of Rs. 5,29,236/-

APPEARANCE:

Learned Advocate Mr. P.H. DAVE for the PLAINTIFF.

No Advocate of the Defendants.

Brief facts giving rise to present petition are as under :-

1. According to the plaintiff, plaintiff bank is Nationalized Bank and having its Corporate Office at Bombay. Moreover, having their branches in different city out of that, plaintiff bank having its sub- branch at Azad Chowk, Ta. Kapadwanj, District Kheda.

2. Defendants of the suit has applied for Agricultural Loan dated 15.07.2011 which application was approved by the bank on 16.08.2011 and sanctioned loan of Rs. 3,00,000/-. Defendants have signed all the documents as per the norms of the bank. Moreover, defendants were agreed to pay loan at the rate of 7 % per annum and renewal rate from 15.08.2012 is @ of 12 % . Defendants having agriculture

land bearing Survey Nos. 608, 609, 610 paikee 2,628 at Ghahua Village. Defendants have created charge for obtaining loan on all revenue survey No. 3268 dated 02.05.2011. Plaintiff bank has given several reminders to the defendants for the repayment of loan but, defendants did not repay the loan amount within

Page - 3

SPCS - 132/2017

stipulated time. Therefore, plaintiff bank has given notice through their advocated on 07.04.2017 which was served to the defendants, then also defendants did not repay the outstanding the loan amount. Therefore, plaintiff bank has to file the suit.

ORDER

- 1. The present suit preferred by the plaintiff is hereby partly Allowed.**
- 2. Defendants are hereby directed to repay the amount of Rs. 5,29,236/- (Five lakhs Twenty Nine Thousand Two Hundred Thirty Six Only) @ 8 % per annum to the plaintiff bank.**
- 3. Both the parties do bear their own cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 13/03/2020

Principal Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	14,550/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	00/-
Process Fee	08/-	Process Fee	00/-
Pleader's Fee	925/-	Pleader's Fee	00/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	15,485/-	TOTAL	00/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	15,485/-	Final Amount	00/-

Learned Advocate Mr. P. H.DAVE for the PLAINTIFF.
NO ADVOCATE OF THE DEFENDANTS.

Given under my hand & seal of the Court on date MARCH 13, 2020.

Drawn by

Compared by

(M.P.GOSWAMI)

(B.A. PARMAR)

(A. M. VASAVA)

Civil Assistant

Superintendent

Additional Senior Civil Judge

Kapadwanj

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, ૫૧.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RC.S No -81/2017

Registration No: 81/2017

Registered On: 29-07-2017

Decided On: 16-01-2021

Exhibit No: 70

PLAINTIFF:

1. Pradeepkumar Baldevbhai Patel

2. Kusumben Pradeepkumar Patel

Residing at – Navagam, Ta. Kapadwanj, District – Kheda.

At Present A/57 Vaibhavyark, Nadiad Road, Ta. Kapadwanj, District Kheda.

DEFENDANTS:

1. Kalabhai Shankarbhai Patel

Residing at – Navagam, Ta. Kapadwanj, District – Kheda.

2. Kokilaben D/o Aitabhai

Residing at – Navagam, Ta. Kapadwanj, District – Kheda.

At present – Magodi, Ta. & District - Gandhinagar.

3. Vishnubhai Aitabhai Patel

4. Rakeshbhai Bhagabhai Patel

Both 3 & 4 Residing at – Navagam, Ta. Kapadwanj, District – Kheda.

SUBJECT: Suit for Declaration & Permanent Injunction.

APPEARANCE:

Learned Advocate Mr. R.B.LUHAR for the PLAINTIFF.

Learned Advocate Mr. B.R. PATEL for the DEFENDANTS.

Brief facts giving rise to present petition are as under :-

1. Plaintiffs having the agricultural land bearing Khata No. 402 Survey No. 495

Ad- Measuring H-0-78-91 Acre Gunthas situated at Navagam Village Ta.

Kapadwanj, District Kheda (hereinafter refer to as “disputed Property”). Plaintiffs having joint ownership and possession over the disputed property and runs in the name of the plaintiffs in the revenue records. Defendants having agricultural land at Singhali Village Ta. Kapadwanj, District Kheda, bearing Survey No. 298/9,

Page - 2

RCS - 81/2017

New survey No. 797 ad-measuring H-1-55-52 Acre Gunthas. Above mention land runs in the joint name of defendants. But, mutual partition has been done by family arrangement out of which defendant No. 1 got share from Eastern Side of Survey No. 797 and cultivation the same. According to plaintiffs, there are 11 trees in the disputed property out of them three (3) are (Ardusa) and Eight (8) are (Bavad). Plaintiffs have done measurement of the disputed property in the year of 2013 after which plaintiffs have made concrete pillars in their own boundary for fencing. At that time son of defendant No. 1 prohibited the plaintiffs from the work of fencing. Then after, defendant No. 1 inform to the plaintiffs that, I do not want to encroach your land but, first of all, give me map of your agricultural land or I will obtain map from the authority, but that was not obtained by the defendants. Then after, defendant No. 1 misleading the plaintiffs by indicating wrong marking in the boundaries of the disputed property in the year , 2017. But, no official measurement has been carried out by the DILR officer. Then after on 18/01/2017 plaintiffs moved the application to the Hon'ble Chief Minister at Gandhinagar. Further, on 03.03.2017 moved an application to Agrasachiv to the Revenue Department. Further, on 26.04.2017 make presentation before the Superintendent Revenue Land Record Officer, as well as, moved application on 27.04.2017. But, then also no progress has been done on any application of the plaintiffs.

2. Defendant No. 1 trying to encroach over the plaintiffs agricultural land from Western Side. Moreover, sons of defendants No. 1 Vashantbhai Kalabhai Patel and Nileshbhai Kalabhai Patel in the absence of Plaintiff on 23.07.2017 trespass into the plaintiffs land and cut the trees. Son of defendant No. 1 cut out 800 trees in total. At that time, son of plaintiff name Pradeepkumar Patel approximate on 8.30 a.m. approach to the disputed land and shown that son of the defendant No. 1 Vashantbhai and Nileshbhai and one other person are cutting of the trees. Plaintiffs son trying to stop them and threatening the son of the plaintiffs. Then after, plaintiffs came to the disputed property and look to the damage which was done by the defendants son. Then after, plaintiffs filed a complaint against the defendant No. 1 and their son in Kapadwanj Town Police Station on 23.07.2017. But, no investigation has been carried out. Defendants caused damage near about Rs. 30,000/- to the plaintiffs and threatening to the plaintiffs that, I will not allow you to

make fencing in your agricultural land. Therefore, plaintiffs have to file this suit.

Page - 3

RCS - 81/2017

ORDER

- 1. The present suit preferred by the plaintiffs is hereby Rejected.**
- 2. No order as to cost.**
- 3. Both the parties do bear their own cost.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 16/01/2020

Principal Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	2300/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	08/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	2390/-	TOTAL	85/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	2390/-	Final Amount	85/-

Learned Advocate Mr. R.B.LUHAR for the PLAINTIFF.
Learned Advocate Mr. B.R. PATEL for the DEFENDANTS.

Given under my hand & seal of the Court on date January 16, 2021.

Drawn by

Compared by

(M.P.GOSWAMI)

(B.A. PARMAR)

(A. M. VASAVA)

Civil Assistant

Superintendent

Additional Senior Civil Judge

Kapadwanj

Civ.A.37g.

{G.P.C.Schedule, IpAppr.D.No.1}

FINAL DECREE

(ઓ.૨૦, કા.-૬-૭)

(ફોર્મ નં. ૧. પરિશિષ્ટ, શેડ્યુલ -૧)

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE

SHRI A. M. VASAVA

AT: KAPADWANJ, DISTRICT: KHEDA

RC.S No -103/2017

Registration No: 103/2017

Registered On: 31-08-2017

Decided On: 08-02-2021

Exhibit No: 74

PLAINTIFF:

1. Ratanbhai Kabhai Gadhavi

Residing at - Charaniya, Antroli, Ta. Kapadwanj, District - Kheda.

DEFENDANTS:

1. Shankarbhai Rambhai Gadhavi

Residing at - Charaniya, Antroli, Ta. Kapadwanj, District - Kheda.

SUBJECT: Suit for Declaration and Permanent Injunction.

APPEARANCE:

Learned Advocate Mr. P.H. ZALA for the PLAINTIFF.

Learned Advocate Mr. J. B. MARWADI for the DEFENDANT.

Brief facts giving rise to present petition are as under :-

1. Plaintiff having agricultural land bearing Survey No. 90/1, Khata No. 35 Ad measuring H 0 34 40 and another Survey No.89/6 Ad measuring H 0 54 63 both situated at Kosam Village Ta.Kapadwanj, District Kheda (hereinafter refer to as 'disputed property'). Plaintiff being in the need of finance in the year, 2007demand of Rs. 15,000/ from the defendant against the mortgage of the disputed property for that plaintiff has executed mortgage deed in favour of the defendant according to the mortgage deed. Defendant for right to cultivate the land and taking the crops from the land. Then after, plaintiff has release agricultural land bearing Survey No. 89/6 from Bhupendrabhai Chhotalal Trivedi which was mortgaged in the year of 2007 and in regard of that entry No. 4184 has been inserted in revenue records dated 18.06.2017. Then after, plaintiff has repaid the mortgage loan amount to the defendant on 20.07.2016, but defendant intention was not good, so defendant not

handover the disputed property to the plaintiff. Then after, plaintiff has send notice through his advocate on 17.01.2017, but defendant did not reply that notice. Defendant was fraudulently executed registered sale deed No. 291/2007 dated 22.02.2007 instead of mortgage deed. Defendant originally mortgage the disputed property to the defendant and mortgage deed has been executed, but defendant fraudulently executed the sale deed. Therefore, that sale deed was not legally bound by the law. Plaintiff never intended to sold the disputed property to the plaintiff. Therefore, plaintiff has filed to this suit.

ORDER

- 1. The present suit preferred by the plaintiff is hereby Rejected.**
- 2. Plaintiff is hereby order to pay cost of Rs. 1500 to the defendant forthwith.**

s/d

KAPADWANJ

(Atul Mohanbhai Vasava)

Date: 08/02/2021

Principal Senior Civil Judge, Kapadwanj.

Judge Code No. GJ-01117

Suit Expense Figure

Plaintiff's/ Petitioner's Expense		Defendant's/Opponent Expense	
	Rupees- Paisa		Rupees- Paisa
Stamp on Exhibit -1	2800/-	Stamp on Exhibit -1 if Suit Filed	00/-
Stamp on V.P.	02/-	Stamp on V.P.	02/-
Process Fee	13/-	Process Fee	08/-
Pleader's Fee	75/-	Pleader's Fee	75/-
Copying Fees	00/-	Copying Fees	00/-
Commission Fee	00/-	Commission Fee	00/-
Substance Allowance	00/-	Substance Allowance	00/-
Court Fee Stamp on	00/-	Court Fee Stamp on	00/-
TOTAL	2890/-	TOTAL	85/-
Expense not paid by Plaintiff	00	Expense not paid by Defendant	00/-
Final Amount	2890/-	Final Amount	85/-

Learned Advocate Mr. P.H. ZALA for the PLAINTIFF.

Learned Advocate Mr. J. B. MARWADI for the DEFENDANT.

Given under my hand & seal of the Court on date February 08, 2021.

Drawn by

Compared by

(M.P.GOSWAMI)

(B.A. PARMAR)

(A. M. VASAVA)

Civil Assistant

Superintendent

Additional Senior Civil Judge

Kapadwanj