

**Order below Application Exhibit – 4**

- [1] Learned Advocate for the appellant is not present before this Court. Upon perusal of the rojkam, It appears that for the last several adjournments, the learned Advocate for the appellant has not remained present. whereas the Learned Advocate on behalf of the respondents Mr. C. D. Padsumbiya has remained present.
- [2] Today Learned Advocate shri C. D. Padsumbiya has drawn attention of this Court towards the cause title of this application as well as the relief prayed by the appellant in this application.
- [3] Thereafter, during the course of hearing Learned Advocate shri M. R. Garchar has appeared before this Court. He has made submission on behalf of Learned Advocate shri A. V. Badmaliya for the appellant.
- [4] It appears that this is an application for stay sought for by the appellants herein and in support of the application the appellant Balubhai Patel has also filed an affidavit duly sworn on 15<sup>th</sup> February, 2025. It is very surprising that appellant has prayed for condonation of delay occurred in preferring this appeal. There is no relief regarding seeking any stay, hence such type of applications cannot be entertained. Hence, application Exhibit-4 is liable to be dismissed.

[5] It is also required to be noted at this juncture that Regular Civil Suit No. 52/2015 was filed by the original plaintiff/appellant in which no stay order was granted by the Learned Trial Judge, therefore, now there is no question of extension of any stay order by this Court also, hence the following final order is passed.

**-:: ORDER ::-**

The Application Exhibit-4 stands rejected.

Signed and pronounced in the open Court on today on this 1<sup>st</sup> day of January, 2026.

Place :- Morbi  
Date :- 01/01/2026

**(Prathamesh Vinodchandra Shrivastav)**  
Principal District & Sessions Judge,  
Morbi  
Judge Code GJ00372

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