

ORDER BELOW EXH.5
IN
R. C. A. NO.67/2014

1. Heard learned advocates for either side.
2. Learned advocate Mr.R.S.Vankar appearing for respondent would submit that, he has no objection in allowing the relief claim in the present application provided that final hearing of the Appeal may be expedited.
3. In turn to the submission, learned advocate Mr. B.K.Panchal for the appellant has submitted that present appellant has deposited amount of cost Rs.20,000/- in this Appeal and he has no objection, if, final hearing of Appeal is expedited.
4. On going through the proceedings of the present Appeal, it appears that appellant has complied the order of cost passed by learned trial court and deposited the amount of cost before this Court. It also appears that present appellant as well as respondent to the Appeal are senior citizens and they were contesting the dispute since 2006. It also appears that respondent - original plaintiff is a widow lady seeking possession of the immovable property.

5. Considering the old age of the parties and they being senior citizens, I am of the opinion that final hearing of the present Appeal is required to be expedited. Thus, following order is passed.

-: O R D E R :-

1. Present application is partly allowed.
2. Earlier order made below this application on 18/10/2014 is hereby made absolute till final disposal of the appeal.
3. Final hearing of the Appeal is hereby expedited and both the parties are directed to co-operate this court in final hearing of the appeal.
4. R & P, of suit be called from trial court.

Pronounced & signed in the Open Court today on this 18th day of **November, 2014.**

Date:- 18/11/2014.
Patan.

[Jitendra C. Doshi]
UIC Code No.GJ00909
Principal District Judge, Patan

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