

IN THE COURT OF PRINCIPAL SENIOR CIVIL JUDGE [HON'BLE
SHRI R P DAVENDRA] TAPI @ VYARA.

REGULAR CIVIL SUIT NO.: 03 OF 2025.

Plaintiff: **Shri Pravinbhai Thagabhai @ Thaglabhai
Gamit.**

VERSUS

Defendants: **Shri Govindbhai Jamsinhbhai Gamit & Others.**

SUBJECT: SUIT FOR PARTITION AND PERMANENT INJUNCTION
UNDER SECTIONS 34, 37 AND 38 OF SPECIFIC
RELIEF ACT.
VALUED AT RS.2,000=00

APPEARANCES:-

Shri D G Chaudhary,	Ld. Counsel for the Plaintiff.
Shri M F Chaudhary,	Ld. Counsel for Defendant Nos.: 1 and 2/1 to 2/3
Shri A A Valvi,	Ld. Counsel for Defendant Nos.: 3 and 4

ORDER BELOW APPLICATION - EXH.: 5 - FOR INTERIM RELIEF
UNDER ORDER 39 RULE 1 AND 2 AND UNDER SECTION 151 OF THE
CODE OF CIVIL PROCEDURE, 1908.

-:~::~ J U D G E M E N T :~::~-

1. The dispute involved in this suit is in respect of following parcels of agricultural lands situated with local limits of 02 villages of Vyara Taluka of Tapi District in the State of Gujarat of Republic of India:

Name of Village	Revenue A/c. Number	Old Block No.	New Block/Survey No.	Area [In Sq. Mts.]	Assessment Value [In Rupees]
Vanskui	172	103	112	4216	05=82
Vanskui	172	106	116	2059	00=55
Vanskui	172	106	115	422	00=11
Vanskui	172	73	77	1892	01=22
Total	04			8589	07=70
Champawadi	364	191	590/6	6421	01=75
Total	01			6421	01=75

The aforesaid lands shall be referred to as '**Suit lands**' for the sake of brevity and convenience.

2. The Plaintiff claims that Shri Jamsibhai Bhekriyabhai Gamit happened to be common ancestor of parties of this suit and he had 03 children viz. Shri Thaglabhai Jamsibhai Gamit, Gamliben Jamsibhai Gamit and Shri Govindbhai Jamsibhai Gamit. He has stated that, his father - Shri Thaglabhai and his paternal aunt - Ms, Gamliben - have passed away for heavenly abode; however his paternal uncle - Shri Govindbhai - Defendant No.:1 is still alive and he is residing at Village: Bhanawadi of Vyara Taluka as resident son-in-law and from there he is coming to Village: Vanskui and cultivating land bearing Block/Survey No.: 77.

3. The Plaintiff further claims that, their paternal aunt - Ms. Gamliben was married and she was residing at Village: Limaddha of Vyara Taluka and she was visiting Village: Champawadi for

cultivating land bearing Block/Survey No.: 191; however after her sad demise her legal heirs - Defendant Nos.: 2/1 to 2/3 - are jointly cultivating it.

4. The Plaintiff claims that, suit lands are undivided as such all parties to the suit are joint owner and co-sharers of suit lands; as such they are jointly cultivating it and taking yield from it.
5. The Plaintiff claims that, Shri Jamsibhai Bhekriyabhai Gamit has passed away for heavenly abode on 05.01.1993; his legal heirs - 02 sons and 01 daughter - came to be brought on record vide mutation entry number 1967 so far as lands situated within local limits of Village: Vanskui is concerned and on death of Plaintiff's father on 15.01.2008 his legal heirs came to be mutated in revenue records vide entry number 3420 on 07.02.2012 so far as lands situated at Village: Vanskui is concerned. As such by this entry name of present Plaintiff as well as his sister - Defendant No.: 3 - Shakuntalaben - came to mutated; hence he is co-owner and sharer of the suit land. He further claims that, inadvertently name of his brother - Shri Arvindbhai - Defendant No.: 4 - was left out in mutation entry number 3420; therefore application was moved and on the basis of said application, name of Shri Arvindbhai came to be mutated in revenue record vide mutation entry number 3763 on 06.02.2024 so far as lands situated at Village: Vanskui.

6. So far as land situated within local limits of Village: Champawadi is concerned; legal heirs of late Shri Jamsibhai came to be brought on record vide entry number 3671 on 07.02.2012; however inadvertently name of his daughter - Ms. Gamliben - was left out. Accordingly he claims that, parties to the suit are co-owner and co-sharers of the suit lands.
7. The Plaintiff claims that their predecessor in title was owner and possessors of the suit lands and suit land is not partitioned amongst his legal heirs; as such after death of their predecessor; moreover after marriage of Defendant No.:1 he shifted to Village: Bhanawadi as resident son-in-law, however he used to go to suit land with his son and was cultivating it. Similarly, paternal aunt - Ms. Gamliben - of Plaintiff also, after her marriage, used to go to suit land and cultivate it. He further state that, on getting service he shifted therefore initially his father used to cultivate suit land however due to old age he could not cultivate suit land therefore on his behalf present Defendant No.:4 used to cultivate it and taking yield from it.
8. The Plaintiff further claims that, after his retirement when he returned to his village - Vanskui - and asked for his share from suit land at that time Defendant No.:4 refused to give his share and stated that '**he is cultivating suit land since long**

and suit land belongs to him alone and there is no share of Plaintiff as such he shall not give suit land to him' .

9. The Plaintiff claims that, despite above fact; in 2024 he has cultivated land bearing S. No.: 112 of Village: Vanskui and has sowed paddy during summer season and he has also applied to Gram Panchayat, Vanskui for partitioning suit land; on the strength of this application, Defendant No.:4 was called by Gram Panchayat however he did not turn up. Once again during monsoon he went to aforesaid land for cultivating it however this time Defendant No.:4 lodged complaint against him. In connection with this complaint; he as well as Defendant No.:4 were called to Kakrapar Police Station and they were persuaded to resolve their dispute through Gram Panchayat and in the meantime they were informed that both of them shall not cultivate said land.

10. The Plaintiff further claims that once again he approached Gram Panchayat however this time also Defendant No.:4 did not turn up; however after monsoon on 20.11.2024 when he went to aforesaid land he saw that Defendant No.:4 was cleaning it. On seeing he informed his brother [Defendant No.:4] about settlement arrived at between them at Police Station; on hearing this he got wild and informed him that: **'this land belongs to him therefore he is free to do anything and he has already informed him**

that he shall not give land to him; as such why he is coming to land time and again and if he once again come to this land then he shall break his limbs and threatened with dire consequences and also informed that, you may apply to any authority and he does not care and further asked him not to persuade him any more' .

11. The Plaintiff further claims that, then after he once again telephonically informed Kakrapar Police Station as well as Gram Panchayat about this incidence; hence, present suit seeking partition as well as permanent injunction.

12. The Plaintiff has prayed for following reliefs in the suit:

૧) હમો વાદી તથા પ્રતિવાદીઓનીસંયુક્ત માલીકી, કબજા, ભોગવટા અને વહીવટનીવડીલો પાજિંત જરાયત ખેતીવિષયક જમીન મોજે વાંસકઈ, તા.વ્યારા, જિ.તાપીમુકામે ખાતા નંબર ૧૭૨, (૧) બ્લોક/સર્વેનંબર ૧૧૨, ક્ષેત્રફળ હે.આરે.ચો.મી૦-૪૨-૧૨, (૨) બ્લોક/સર્વેનંબર ૧૧૬, ક્ષેત્રફળહે.આરે.ચો.મી૦-૨૦-૫૯, (૩) બ્લોક/સર્વેનંબર ૧૧૫, ક્ષેત્રફળ હે.આરે.ચો.મી૦-૦૪-૨૨, (૪) બ્લોક/સર્વે નંબર ૭૭, ક્ષેત્રફળ હે.આરે.ચો.મી૦-૧૮-૯૨અને મોજે ચાંપાવાડી, તા.વ્યારા, જિ.તાપી મુકામે ખાતા નંબર ૩૬૪, બ્લોક/સર્વેનંબર ૧૯૧, ક્ષેત્રફળ હે.આરે.ચો.મી ૦-૬૪-૨૧વાળી જમીન ચાલી આવેલ છે, તેજમીનના મુળ માલીક મૈયત જમસીભાઈ ભેકરીયાભાઈના ત્રણ વારસદારો(૧) મૈ.ઠગલાભાઈ, (૨) મૈ.ગમલીબેનઅને (૩) ગોવિંદભાઈનોસરખે હિસ્સે ૧/૩ હીસ્સો અલગ કરી આપવા હુકમકરશોજી.

૨) તેમજ દાવાવાળી જમીનોમાંમૈઠગલાભાઈ જમસીભાઈનાભાગે આવતી જમીનમાં હમો વાદીતથા પ્રતિવાદી નંબર ૩ અને ડાત્રણેય વારસદારોનો તમામનો૧/૩ હીસસો સમાયેલોછે તે હમો ત્રણેયનો હીસસોઅલગ કરી આપવા તેવી જાહેરાતકરવા તેમજ હદેહદ છૂટા પાડીવહેંચણી કરી આપવા હુકમ કરીહુકમનામુ દોરી આપવા મે. કરશોજી.

૩) હમો વાદીના વહીવટમાંઆવેલા જમીનમાં આ કામના પ્રતિવાદીનંબર ૪ કે અન્ય પ્રતિવાદીઓકે તેમના માણસો ખેતીનું કામકાજકરતા હરકત દખલ, અટકાયત, રૂકાવટ કરે કરાવડાવેનહી, તેવો કાયમી મનાઈ હુકમ હમો વાદીના લાભમાં ન્યાય નાહિતમાં ફરમાવવા, હુકમકરવાતેમજહુકમનામુંદોરી આપવા મે. કરશોજી.

૪) નામદાર કાઠનો જેયોગ્ય અને મુનાસીબ લાગે તેતમામ દાદ અપાવશોજી.

૫) દાવાનોખર્યો પ્રતિવાદીઓ પાસેથીઅપાવશોજી.

13. By way of present application, Plaintiff is seeking interim relief pending hearing and final disposal of the suit; as under:

૧) હમો વાદીની દરમિયાનમનાઈ અરજ ન્યાયના હિતમાં મંજૂરકરી મોજે વાંસકુઈ તા.વ્યારા, જિ.તાપી મુકામે આવેલ ખાતા નંબર ૧૭૨, (૧) બ્લોક/સર્વે નંબર ૧૧૨, ક્ષેત્રફળ હે.આરે.ચો.મી૦-૪૨-૧૬, આકાર રૂ.પ.૮૨, (૨) બ્લોક/સર્વે નંબર ૧૧૬, ક્ષેત્રફળ હે.આરે.ચો.મી૦-૨૦-૫૯, આકાર રૂ.૦.૫૫, (૩) બ્લોક/સર્વે નંબર ૧૧૫, ક્ષેત્રફળ હે.આરે.ચો.મી૦-૦૪-૨૨, આકાર રૂ.૦.૧૧, (૪) બ્લોક/સર્વે નંબર ૭૭, ક્ષેત્રફળહે.આરે.ચો.મી૦-૧૮-૯૨, આકાર રૂ.૧.૨૨વાળી ખેતી વિષયક જમીન તથા મોજે ચાંપાવાડી, તા.વ્યારા, જિ.તાપીમુકામે આવેલ ખાતા નંબર ૩૬૪, (૧) બ્લોક/સર્વે નંબર ૧૯૧, ક્ષેત્રફળ હે.આરે.ચો.મી૦-૬૪-૨૧, આકાર રૂ.૧.૭૫ વાળી ખેતી વિષયક જમીન ચાલીઆવેલ છે જે પૈકી હમો વાદીઓના કબ્જા ભોગવટા, વહીવટમાંચાલી મોજે વાંસકુઈ, તા.વ્યારામુકામે આવેલ બ્લોક/સર્વે નંબર ૧૧ વાળી જમીન છે, તેજમીન ખેડતા, કે તુલ લેતા હમો વાદીઓના પ્રત્યક્ષ કબ્જા ભોગવટામાં પ્રતિવાદી હસ્તે પર હસ્તે દખલ કરે કરાવે નહી, તેમજ હમો વાદીઓને જમીનમાં ખેડ ખાતર કરી તુલ લેતાપ્રતિવાદી

કોઈપણ પ્રકારની હરકત દખલ કરે કરાવે નહી, તેવો દાવો ચાલી આખરીનિર્ણય આવે તે દરમિયાન ન્યાયના હીતમાં હમો વાદીઓના લાભમાંઅને પ્રતિવાદીના વિરુદ્ધમાંકામ ચલાઉ મનાઈ હુકમ ફરમાવશોજી.

૨) ના. કોર્ટને મુનાસબ લાગે તેવો યોગ્ય તેહુકમ હમો વાદીના લાભમાંફરમાવશોજી.

14. The Defendants are duly served with summons of the suit as well as notice of present application. They have filed their appearance through their legal counsels.

15. Although Defendant No.:3 has filed his appearance in the suit through her legal counsel; however she has not filed any written statement. On the other hand, Defendant No.: 4 has filed his common written statement to the suit as well as present application at **Exh.: 24**; whereas other Defendants viz. Defendant Nos.: 1 and 2/1 to 2/3 have filed their common and combined written statement at **Exh.: 27**.

16. The Defendant No.: 4 has in his common written statement - **Exh.: 24** - has inter alia while denying entire pleadings put forth by the Plaintiff and has contended that, suit is barred by delay and latches hence not maintainable. He has further contended that as plaint of the suit is full of incorrect facts as well as illegality therefore also suit is liable to be dismissed. He has further contended that even otherwise as suit is barred by law of limitation therefore also suit is liable to be dismissed.

17. He has however inter alia stated that there is no dispute about parties to the suit as well as relationship amongst them as put forth by the Plaintiff. He has admitted fact that Defendant No.:1 has gone as resident son-in-law however he has denied fact that from his in-laws house he used to come to one of the suit land viz. land bearing S. No.: 77 of Village: Vanskui.

18. He has contended that, as per custom prevailing in Adivasi Community once he has gone as resident son-in-law; he is not entitled to get any share after his marriage, as he gets share from property of his in-laws house; as such after going as resident son-in-law he has neither visited suit land nor cultivated it and/or taken yield there from. He has further contended that as Defendant No.: 1 has gone as resident son-in-law as such Plaintiff has no right to bring suit for partition against him as he is not entitled to get any share.

19. He has further contended that fact that mother of Defendant Nos.: 2/1 to 2/3 was cultivating suit land from her in-laws house and presently Defendant Nos.:2/1 to 2/3 is presently cultivating it is also far away from truth since as per custom prevalent in their Adivasi community daughters' are given their share at the time of their marriage as such daughters have no right in fathers' property after marriage; therefore present Defendant Nos.: 2/1 to 2/3 have no right or share in property of their maternal grandfather; therefore only their mother's name is not mutated in revenue records on her death. As such according to him present Defendant Nos.: 2/1 to 2/3

also have no right or share in suit lands and no such suit for partition can be brought against them.

20. He has further contended that, Plaintiff has nowhere stated in plaint of the suit as to on which side of suit lands he is in possession of it and cultivating it; as such according to him, if Plaintiff is really in possession of any part of any of the suit lands then he would have mentioned or stated it in his plaint.

21. He has further stated that Plaintiff has also gone as resident son in law in same village and during his service in police department he has neither visited suit lands nor cultivated it. He has further stated that Plaintiff has not taken care or looked after his father during his life time. He has further stated that, he [Defendant No.:4] was taking care and looked after his parents during their life time and Defendant Nos.:1 and 2 have at no point of time has cultivated suit lands; as such pleadings on this counts put forth by Plaintiff are also far away from truth.

22. He has further contended that, as per settled principles of law laid down by Supreme Court and High Courts only on the strength of names contained in revenue records; they cannot get right, title or share in such property/ies since mutation entries in revenue records does not confer title over immoveable property/ies.

23. He has further contended that, as Plaintiff has gone as resident son-in-law in same village and as their father has father has passed away for heavenly abode in

2008 and since suit is filed in 2025 therefore also suit is miserably time barred and is liable to be dismissed and according to him, as Plaintiff has gone as resident son-in-law in same village therefore he has not claimed any right in suit land during life time of their parents.

24. In short according to him after death of his father he is cultivating suit lands and Plaintiff is not entitled to any right or share in suit land hence suit is liable to be dismissed with cost.

25. As suit is liable to be dismissed; question of granting interim relief does not and cannot arise at all hence present application is also liable to be rejected.

26. The Defendant Nos.: 1 and 2/1 to 2/3 have inter alia contended that there is no dispute about their predecessor in title and relationship amongst parties of suit. They have inter alia stated that, it is true and correct that, Defendant No.:1 has gone has resident son-in-law and from his in-laws house he used to come and cultivate one of the suit land viz. land bearing B/S. No.:77; whereas mother of Defendant Nos.: 2/1 to 2/3 used to visit land situated at Village: Champawadi and cultivate it and was taking yield from it and they also used to accompany her [their mother] during such visit and cultivation. After death of their mother; they are jointly cultivating aforesaid parcel of land.

27. They have further stated that they also have right share and interest in the suit lands being legal heirs of their predecessor in title as such they are co-owners and

co-sharers of the suit lands as suit is not partitioned - orally and/or in writing - hence they have no objection if suit land is partitioned and their share is ascertained by this court.

28. In short, they have supported case and cause put forth by the Plaintiff and has consented for partition of suit land and has also given their ascent for grant of interim relief as prayed for by Plaintiff.

29. I have heard Ld. Counsel for the parties and have gone through written arguement submitted by Plaintiff at **Exh.: 30** and by Defendant Nos.:1 to 2/1 and 2/3 at **Exh.: 32**.

30. As per settled principles of law governing provisions of Order 39 and Rules framed there under in Code of Civil Procedure, 1908 for grant of interim relief, pending hearing and final disposal of suit, party claiming such relief must establish existence of prima facie case, balance of convenience and irreparable loss in their favour and they must prove existence of all such factors on their own strength and cannot take advantage of weakness of other side. Moreover, as grant of such relief is equitable relief party claiming such right must come with correct facts and with clean hands. If party claiming such relief fails to prove or establish existence of any such factor in their favour then such relief cannot be granted in their favour. It is also now no more res ges tate that even if any of the party is able to prove existence of all three ingredients, then

also, court can refuse to grant interim relief, if it comes on record that any of the party/ies does not come with clean hand/s and/or has/have suppressed material facts as it is settled position of law that court of law are aware about law however not about facts therefore it is incumbent upon parties to come not only with full and correct facts but not suppress any material facts which may be relevant for just adjudication of the lis involved in the matter.

31. On going through record it is seen that, only Plaintiff has placed on record documents - **Mark-3/1 to 3/13** - in support of his say and claim; however none of the Defendants have placed on record any document in support of their say and/or contentions put forth by them. It is evident from pleadings of the parties that Defendant No.:4 is only contesting suit filed by Plaintiff and Defendant No.:3 has chosen to remain mute spectator whereas Defendant Nos.: 1 to 2/1 to 2/3 have supported cause and case put forth by the Plaintiff. As such Defendant No.:4 would be referred to as '**contesting defendant**' herein after.

32. The contesting defendant has stated that, Plaintiff himself has gone as resident son-in-law in same village; whereas he has not placed on record any document or even affidavit of any person in support of his say; more over all the parties have stated and/or admitted that Defendant No.:3 has gone as resident son-in-law therefore

in view of admission by parties same is required to be taken at par.

33. On going through record it is seen that, suit lands stands in the names of all the parties to the suit and there is no dispute about genealogical chart [**Mark-3/12**] placed on record; as such all the parties to the suit are legal heirs of their common ancestor late Shri Jamsibhai Bhekriabhai Gamit and names of all the parties are brought on revenue record by due process of law.

34. So far as question of custom prevalent in Adivasi community is concerned and rights of daughter as well as son who has gone as resident son-in-law are concerned same is required to be proved in accordance with law and same is not possible without recording evidence in the suit. As such at this stage, in absence of any other record but for revenue records, this court is left with no option but to refer and rely upon mutation entries contained in revenue records of suit land. As such as per settled provisions of law laid down by Hon'ble High Court in the case of **Sorabji Derabji Vesuna Vs. Nanjibhai Jirabhai Umrigar** reported in **2002:GCD:1:130** OR **2001:GLH:3:759** to the effect that, while granting or non granting interim relief, Civil Court must respect findings of revenue authorities or in other words findings recorded by revenue authorities must be taken in consideration by Civil Courts; hence, claim of the Plaintiff to the effect that, only he is cultivating one of the suit land cannot be accepted at this stage without recording evidence.

Moreover he has also not produced on record any land revenue or cess receipts to substantiate his claim regarding cultivation as well as payment of land revenue or cess leviable on such land in his possession. He has also not placed on record as to when he has retired from service and since when he is cultivating it.

35. As suit properties are not Plaintiffs self and/or acquired by contesting Defendants but these properties are inherited by them as such until and unless suit properties are partitioned by meets and bounds; each one of them can claim to be owner and possessors. In this connection, I am reminded of the following observations of Hon'ble Supreme Court in the case of **Budh Ram & Ors. v. Bansi & Ors.** [Civil Appeal No.6291 of 2010] Hon'ble Supreme Court of India has by order dated: 05.08.2010 held that **“every co-owner has a right to possession and enjoyment of each and every part of the property equal to that of other co-owners. Therefore, in theory, every co-owner has an interest in every infinitesimal portion of the subject matter; each has a right irrespective of the quantity of its interest, to be in possession of every part and parcel of the property jointly with others. A co-owner of a property owns every part of the composite property along with others and he cannot be held to be a fractional owner of the property unless partition takes place.”**

36. So far as custom prevalent in Adivasi Community as to rights of married daughters and/or male child who has

gone as resident son-in-law is concerned; same is required to be proved by adducing evidence to that effect. The fact as to how custom is required to be established and prove before court of court is distinctively laid down by Hon'ble Supreme Court of India in the case of **Ratanlal @ Babulal Chunilal Samsuka Versus Sundarabai Govardhandas Samsuka** reported in 2017 (0) AIJEL-SC 61301 wherein in order **dated: 22.11.2017** it is inter alia noted that:

The Hon'ble Supreme Court of India in the case of **Thakur Gokal Chand v. Pravin Kumari** reported in **AIR 1952 SC 231**, has explained the ingredients of a valid custom in the following manner-

"A custom, in order to be binding, must derive its force from the fact that by long usage it has obtained the force of law, but the English rule that "a custom, in order that it may be legal and binding, must have been used so long that the memory of man runneth not to the contrary" should not be strictly applied to Indian condition. All that is necessary to prove is that the usage has been acted upon in practice for such a long period and with such invariability as to show that it has, by common consent, been submitted to as the established governing rule of a particular locality".

Moreover Black's Law Dictionary defines customary law as "customs that are accepted as legal requirements or obligatory rules of conduct, practices and beliefs that are so vital and intrinsic a part of a social and economic system that they are treated as if they are laws."

Similarly, Privy Council in case of **The Collector of Madura v. Mootoo Ramalinga Sathupathi** reported in, 12 MIA 397 (1868), has observed that "**under the Hindu System of law, clear proof of usage will outweigh the written text of law**".

As per the settled law under Section 2(a) the Act, the following ingredients are necessary for establishing a valid custom:

- i. Continuity.
- ii. Certainty.
- iii. Long usage.
- iv. And reasonability.

As customs, when pleaded are mostly at variance with the general law, they should be strictly proved. Generally, there is a presumption that law prevails and when the claim of custom is against such general presumption, then, whoever sets up the plea of existence of any custom has to discharge the onus of proving it, with all its requisites to the satisfaction of the Court in a most clear and unambiguous manner.

It should be noted that, there are many types of customs to name a few-general customs, local customs and tribal customs etc. and the burden of proof for establishing a type of custom depend on the type and the extent of usage. It must be shown that the alleged custom has the characteristics of a genuine custom viz., that it is accepted willfully as having force of law, and is not a mere practice more or less common. The acts required for the establishment of customary law ought to be plural, uniform and constant.

Custom evolves by conduct, and it is therefore a mistake to measure its validity solely by the element

of express sanction accorded by courts of law. The characteristic of the great majority of customs is that they are essentially non-litigious in origin. They arise not from any conflict of rights adjusted, but from practices prompted by the convenience of society. A judicial decision recognizing a custom may be relevant, but these are not indispensable for its establishment. When a custom is to be proved by judicial notice, the relevant test would be to see if the custom has been acted upon by a court of superior or coordinate jurisdiction in the same jurisdiction to the extent that justifies the court, which is asked to apply it, in assuming that the persons or the class of persons concerned in that area look upon the same as binding in relation to circumstances similar to those under consideration. In this case at hand there was no pleading or proof which could justify that the above standards were met.

37. As such, as Plaintiff has failed to establish any case in his favour therefore question of granting any relief in his favour does not arise; hence, following order is passed:

::: O R D E R :::

Application is rejected with no orders as to costs.

PRONOUNCED IN OPEN COURT ON THIS 5TH DAY OF DECEMBER, 2025
AT TAPI @ VYARA.

[RAVICHANDRAN PERIYASWAMY DAVENDRA],
PRINCIPAL SENIOR CIVIL JUDGE,
TAPI @ VYARA [GJ-00459]