

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 312 of 2022****With****CRIMINAL MISC.APPLICATION (DIRECTION) NO. 1 of 2022****In R/SPECIAL CRIMINAL APPLICATION NO. 312 of 2022****With****CRIMINAL MISC.APPLICATION (FOR VACATING INTERIM RELIEF) NO. 2
of 2024****In R/SPECIAL CRIMINAL APPLICATION NO. 312 of 2022**

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MOHAMMADISHAQ HABIBBHAI SOFAWALA**Versus****STATE OF GUJARAT & ORS.**

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Appearance:**MR TUSHAR L SHETH(3920) for the Applicant(s) No. 1****MR MOHDDANISH M BAREJIA(10612) for the Respondent(s) No. 4,5****MR. KARAN U VYAS(6992) for the Respondent(s) No. 6****MS DHRUMA U VYAS(6850) for the Respondent(s) No. 6****NOTICE SERVED for the Respondent(s) No. 2,3****MS. MONALI BHATT, APP for the Respondent(s) No. 1**

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CORAM:HONOURABLE MR. JUSTICE A.Y. KOGJE**Date : 28/04/2025****ORAL ORDER**

Learned Advocate for the respondent has brought to the notice of the Court serious misconduct on the part of the petitioner in not disclosing ultimate outcome of the Civil Proceedings with regard to same property at the time when this Court passed order on 13-01-2022 and thereafter, on 26-04-2024 and granted Ad-interim relief in terms of Para-12(B).

The grievance is raised that by not disclosing correct facts and taking advantage of order granting Ad-interim relief, the petitioner, though was declared by the Competent Court jurisdiction as wrong tracepassor, is clinging to the possession since 2022.

Today, when the matter is called out, learned Advocate for the petitioner is on sick note.

In that view of the matter, as a last chance, **S.O. to 05-05-2025.** The Court will not entertain leave not or sick note on the part of learned Advocate for petitioner. Ad-interim relief granted earlier to continue till then.

PARESH SOMPURA

(A.Y. KOGJE, J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: PARESHKUMAR SOMPURA(HC00451), Principal Pvt Secretary, at High Court of Gujarat on 28/04/2025 17:36:31