

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SECOND APPEAL NO. 8 of 2022

With

CIVIL APPLICATION (FOR STAY) NO. 1 of 2022

In R/SECOND APPEAL NO. 8 of 2022

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SUSHMITABEN CHAMPAKLAL SHAH

Versus

RAMESHBHAI CHINIYABHAI HALPATI

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Appearance:

MR. UNWALA, SR. ADVOCATE WITH MS TEJAL A VASHI(2704) for the
Appellant(s) No. 1

HARI K BRAHMBHATT(9070) for the Respondent(s) No. 1

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CORAM: HONOURABLE DR. JUSTICE A. P. THAKER

Date : 18/01/2022

ORAL ORDER

Order in CA/1/2022:

Heard Mr. Unwala, learned Senior Counsel with Ms. Tejal Vashi, learned advocate for the appellant through video-conferencing. Mr. Hari Brahmbhatt, learned advocate for the respondent has filed leave note today.

It is submitted by learned advocate for the appellant that learned advocate for the other side has informed that due to the order passed by the learned first Appellate Court dated 16.10.2021 passed below Exh-83, the said order cannot be extended now. However, today Mr. Brahmbhatt has filed leave note.

On perusal of the order below Exh-83, passed by the learned 3rd Additional District Judge, Valsad at Vapi in Regular

Civil Appeal No. 382/2002, it appears that there was stay granted from the very beginning till the filing of the appeal and that was extended till the filing of the appeal.

Since there was stay continuously, considering the facts and circumstances of the case, in the interest of justice, both the parties are directed to maintain status-quo in the property in question till the next date of hearing.

Notice returnable on 9.2.2022.

ORDER IN SA/8/2022:

Notice returnable on 9.2.2022.

(DR. A. P. THAKER, J)

SAJ GEORGE