

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SECOND APPEAL NO. 13 of 2022

With

CIVIL APPLICATION (FOR STAY) NO. 1 of 2022

In R/SECOND APPEAL NO. 13 of 2022

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KARANBHAI DASHARATHBHAI GAJJAR SUTHAR

Versus

PATEL VISHNUBHAI JETHABHAI

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Appearance:

MR. YOGENDRA THAKORE(3975) for the Appellant(s) No. 1
for the Respondent(s) No. 3

MR TEJAS P SATTA(3149) for the Respondent(s) No. 1,2

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CORAM:HONOURABLE DR. JUSTICE A. P. THAKER

Date : 18/01/2022

ORAL ORDER

ORDER IN SECOND APPEAL:

Heard Mr. Yogendra Thakore, learned advocate for the appellant and Mr. Tejas Satta, learned advocate for the respondent Caveator through video-conferencing.

ADMIT.

The following question of law arise for consideration of this Second Appeal:

1. Whether the point of determination as justified by the first Appellate Court is not sustainable in the eyes of law?
2. Whether the suit of the plaintiff is bad for non-registration of the Society?

3. Whether the plaintiff has no locus-standi to file the Suit even if their personal easementary right over the the property of the Society is involved in the matter?

At the joint request, the matter is fixed for final hearing on 28.2.2022. Learned advocate may exchange the paper-book between them and supply a copy of the same to this Court.

R&P be called for.

ORDER IN CIVIL APPLICATION :

Heard learned advocate for the parties through video-conferencing.

Both the parties are directed to maintain status-quo over the property in question till the final disposed of this Appeal.

The Civil Application stands disposed of accordingly.

SAJ GEORGE

(DR. A. P. THAKER, J)