

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 867 of 2026**

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NILAYBHAI ASHVINBHAI BHEDA & ORS.

Versus

THE MEHASANA URBAN COOPERATIVE BANK

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Appearance:

MR ASHUTOSH S DAVE(8865) for the Petitioner(s) No. 1,2,3,4

MR NIRAJGIRI M GAUSWAMI(13675) for the Petitioner(s) No. 1,2,3,4

HARSHIT M KARATHIA(7916) for the Respondent(s) No. 1

MS. SOFIYA BAGBAN(16907) for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL

Date : 09/06/2026

ORAL ORDER

1. Heard learned Advocate Mr. Ashutosh S. Dave for the petitioners and learned Advocate Mr. Harshit M. Karathia for the respondent.

2. Learned Advocate Mr. Ashutosh Dave seeks permission to withdraw the present petition with liberty to avail of alternative remedy and whereas learned Advocate would further request that the interim relief already granted by this Court may continue for some period of time, till the petitioners approach the learned Tribunal and the learned Tribunal has a reasonable time for considering the application preferred by the petitioners. Learned Advocate Mr. Harshit M. Karathia would not have any objection to a reasonable time being granted.

3. Considering the above, the following directions would meet with the ends of justice.

(i) The petition stands disposed of as withdrawn.

(ii) Interim relief, granted by this Court vide order dated 20.03.2026 that there shall not be any coercive action against the petitioners, i.e. under the SARFAESI Act, be continued for a period of six weeks from the date the order is uploaded on the portal of the High Court.

(iii) The learned Tribunal, while considering the application, shall also appropriately take note of the fact that the petitioners had approached this Court in the month of January, 2026.

4. It is clarified that this Court has not gone into the merits of the matter.

BDSONGARA

(NIKHIL S. KARIEL,J)