

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/FIRST APPEAL NO. 194 of 2026**

**With  
CIVIL APPLICATION (FOR STAY) NO. 1 of 2026  
In R/FIRST APPEAL NO. 194 of 2026**

=====

**SURAJ SINGH LALSINGH VASAVA**

**Versus**

**REKHABEN W/O SURAJ SINGH VASAVA AND D/O AMAR SINGH PADVI**

=====

**Appearance:**

**MR VIJAY H NANGESH(3981) for the Appellant(s) No. 1**

=====

**CORAM: HONOURABLE MS. JUSTICE SANGEETA K. VISHEN**  
**and**  
**HONOURABLE MS. JUSTICE NISHA M. THAKORE**

**Date : 22/01/2026**

**ORAL ORDER**

**(PER : HONOURABLE MS. JUSTICE SANGEETA K. VISHEN)**

**Order in First Appeal:**

1. Mr Vijay H. Nangesh, learned advocate appearing for the appellant states that the suit was filed seeking declaration of dissolution of the marriage under section 34 of the Specific Relief Act, 1963 read with section 7 of the Family Courts Act, 1984. It is submitted that issues were formulated including the desertion and cruelty. Issues of cruelty and desertion, have been held in favour of the appellant; however, issue no.6, was held against the appellant-applicant. It is submitted that the judgment itself suffers from paradox. It is submitted that once the cruelty and desertion has been decided in favour of the appellant-husband and against the respondent-wife, the dissolution not have been ordered.
2. Issue notice to the respondent, returnable on 23.02.2026.

Order in civil application:

Mr Vijay H. Nangesh, learned advocate appearing for the applicant, at this stage, does not press the civil application for stay.

Civil application for stay is disposed of as not pressed. No order as to costs.

**(SANGEETA K. VISHEN,J)**

RAVI P. PATEL

**(NISHA M. THAKORE,J)**