

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 247 of 2018****With****CIVIL APPLICATION NO. 1 of 2018**

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BHAIRAV TEXTILE

Versus

KAMAL FASHION

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Appearance:

MR GAURAV CHUDASAMA(5660) for the PETITIONER(s) No. 1

MR GAURANG K PATEL(2613) for the RESPONDENT(s) No. 1

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CORAM: HONOURABLE MR.JUSTICE S.H.VORA**Date : 28/11/2018****ORAL ORDER**

Prima facie, it appears that the respondent – plaintiff has not filed affidavit-in-reply to leave to defend application preferred by the present petitioner.

In view of such fact and in view of the decision of this Court rendered in the case of Bharat Oil Depot V/s. Pari Prafulchandra Kantilal and others reported in 1983 G.L.H. 222, present petition deserves consideration.

Therefore, issue **Rule**. Meanwhile, relief in terms of para 17(C) is granted. Direct service is permitted.

(S.H.VORA, J.)

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