

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CRIMINAL MISC. APPLICATION (FOR CANCELLATION OF BAIL) NO.
2397 of 2023**

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DARSHAK NITINBHAI PAREKH

Versus

MEHTA JAYESHBHAI KANTIBHAI

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Appearance:

MR FB BRAHMBHATT(1016) for the Applicant(s) No. 1

MR ARPIT A KAPADIA(3974) for the Respondent(s) No. 1

PUBLIC PROSECUTOR for the Respondent(s) No. 2

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CORAM:

HONOURABLE MR. JUSTICE J. C. DOSHI

Date : 16/01/2024

ORAL ORDER

1. Learned Advocate, Mr. Brahmbhatt, appearing for the petitioner submitted that he has received a Whatsapp message from learned Advocate, Mr. Kapadia, appearing for Respondent No.1, stating that he, i.e. Mr. Kapadia, is retiring from this matter.

1.1 On perusal of the record, however, neither any such note nor any pursis appears to have been filed by the learned Advocate, Mr. Kapadia, to that effect. Under the Gujarat High Court Rules, a Whatsapp message cannot be treated as a note or pursis, so as to permit a learned Advocate to retire from the matter. Hence, such a request is rejected. It is clarified that, on the next date of hearing, the matter shall be proceeded with even the in the absence of learned Advocate, Mr. Kapadia, without fail. S.O. to **31st January, 2024**.

(J. C. DOSHI,J)

UMESH/-