

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SECOND APPEAL NO. 76 of 2019****With****CIVIL APPLICATION (FOR STAY) NO. 1 of 2019****In R/SECOND APPEAL NO. 76 of 2019**

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YASHWANTSINH PRABHURAM CHAUDHARY

Versus

IMTIYAZ ABUBAKAR LOHAR

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Appearance:

MR DIPEN DESAI, ADVOCATE for the Appellant

NOTICE SERVED BY DS for the Respondent

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CORAM: HONOURABLE MR.JUSTICE PARESH UPADHYAY**Date : 16/09/2019****ORAL ORDER**

1. Though served, the respondent has chosen not to appear.
2. Mr. Dipen Desai, learned advocate for the appellant has submitted that, on one hand the respondent has chosen not to appear before this Court and on the other hand, the proceedings are attempted to be pressed before the trial Court pursuant to the judgment and decree passed by the Appellate Court below, which is the subject matter of this Appeal.
3. To enable the respondent – original plaintiff to put his case before this Court, if he so desires, the hearing is deferred.
4. It would be open for the appellant to place appropriate

pursis before the trial Court.

5. Stand over to 30.09.2019.

Salim/78

(PARESH UPADHYAY, J)