

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CIVIL APPLICATION (FOR CONDONATION OF DELAY)
NO. 960 of 2025
In
F/FIRST APPEAL NO. 4108 of 2025

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DARSHANABEN D/O ASHOKKUMAR SHUKAL W/O
HARDIKBHAI SHUKAL @ TRIVEDI & ANR.
Versus
SUNITABEN W/O BHARATKUMAR TRIVEDI D/O KESHAVLAL
AMBALAL RAVAL & ANR.

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Appearance:

MR NV GANDHI(1693) for the Applicant Nos. 1,2

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CORAM: HONOURABLE MS. JUSTICE NISHA M. THAKORE

Date : 17/02/2025

ORAL ORDER

Ms. Mona Gupta, learned advocate appearing on behalf of Mr. N. V. Gandhi, learned advocate on record for the applicants submits that the challenge is to an *ex-parte* order whereby by impugned judgment and order, the learned Judge has allowed the relief sought for by the present respondent seeking probate of the Will dated 31st December, 1997 of deceased Dharmishthaben Keshavlal Raval in respect of the scheduled properties described in the plaint. It is further submitted that no summons were served upon the present applicants - original defendant nos.1 and 2 though the objections were raised against the grant of probate at relevant stage. She had further pointed-out that in fact, the original plaintiffs have misled the Court inasmuch as the details of the

correct address of the defendants were not submitted in the suit proceedings. As per the Bailiff report, the summons were duly served, however, it is clarified that the summons were served at the address where the defendant nos.1 and 2 were not residing, so according to the case of the defendants, the summons were not served.

Let **Notice** be issued upon the respondents, returnable on **17th March, 2025**.

(NISHA M. THAKORE, J.)

AMAR RATHOD...

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: AMAR KANTILAL RATHOD(HC01074), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 18/02/2025 17:14:05