

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 2190 of 2026**

**With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2026
In R/SPECIAL CIVIL APPLICATION NO. 2190 of 2026**

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HITEN POLYMERS A PARTNERSHIP FIRM & ORS.

Versus

BHAGYODAYA COOPERATIVE BANK LIMITED

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Appearance:

MS BANNA S DUTTA(315) for the Petitioner(s) No. 1,2,3,4

MR UI VYAS(1000) for the Respondent(s) No. 1

MR. KARAN U VYAS(6992) for the Respondent(s) No. 1

MS DHRUMA U VYAS(6850) for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 22/06/2026

ORAL ORDER

1. Heard learned Advocate Ms. Banna Datta for the petitioners and learned Advocate Mr. Uday Vyas assisted by learned Advocate Mr. Karan Vyas for the respondent - bank.

2. Learned Advocate Mr. Uday Vyas states that at the time when the petition was filed and relief was granted, the same was granted considering the fact that at that relevant point of time, the Co-operative Tribunal was not functional. Now the same is functional and therefore, the matter may be relegated back to the Tribunal for consideration of the Revision Application preferred by the applicant being Revision Application No. 58 of 2024 filed by the respondent-bank.

3. It is also stated by learned Advocate Mr. Vyas that if

the matter is directed to be heard and decided within some time bound schedule, the matter may be relegated back to the Tribunal as it is. The aforesaid submission was not objected by learned Advocate Ms. Datta.

4. It is stated by learned Advocate Mr. Vyas that the matter is listed before the Tribunal tomorrow i.e., on 23rd June, 2026 and on that day, the present respondent wants to proceed with the matter. Learned Advocate Ms. Datta states that if the copy of the order is available subject to right of the present petitioners to seek adjournment.

5. Hence, the following directions are issued:

- I. The Tribunal is directed to hear and decide Revision Application no.58 of 2024 as early as possible without being influenced by the fact that the present petition is disposed of;
- II. The present disposal shall not come in the way of the either party as the matter is being disposed of on account of availability of the Tribunal and the fact that the Tribunal is functional;
- III. The relief granted earlier shall continue to operate till the final disposal of the Revision Application no. 58 of 2024 and the Tribunal is directed to hear and decide the said Revision Application without adjourning the matter unnecessarily. However, in case of genuine difficulty, such difficulties may be considered by the Tribunal for either side.

6. The Petition is disposed of with the above observation and direction. It is clarified that this Court has not gone into the merits of the matter.

7. In view of this order, connected CA would not survive and the same is disposed of accordingly.

Direct service today is permitted.

(NIRZAR S. DESAI,J)

Anuj