

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CIVIL REVISION APPLICATION NO. 493 of 2025**

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L.H. OF DECD NATHUSINH KARSHANSINH, KISHORSINH S/O
GANPATSINH NATHUSINH

Versus

JASHUBEN W/O CHANDRASINH NATHUSINH & ORS.

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Appearance:

MR AMIT K DAVE(5860) for the Applicant(s) No. 1

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CORAM:HONOURABLE MR.JUSTICE SANJEEV J.THAKER

Date : 01/08/2025

ORAL ORDER

1. The present Civil Revision Application has been filed below Exhibit 21 dated 17.12.2024 by Principal Senior Civil Judge, Olpad in Regular Civil Suit No.64 of 2019, whereby the applicant had under the provisions of Order VII Rule 11 of the Code of Civil Procedure, 1908 is filed by the defendant no.1.
2. Learned advocate for the defendant no.1 has mainly argued that upon plain reading of the plaint, and documents annexed with the Regular Civil Suit No.64 of 2019 is perused it can be clearly established that the plaint is hopelessly time barred.
3. Learned advocate for the original defendant no.1 has argued that the registered sale deed dated 13.10.2005 is under challenge by legal heirs of signatory to the said sale deed. It has been argued that the defendant-Chandrasinh son of

Nathusinh Karsansinh is father of the plaintiffs and neither the said sale deed has been challenged by the father i.e. defendant-Chandrasinh son of Nathusinh Karsansinh of the plaintiff and the cause of action, the suit has been filed.

4. Having heard learned advocate for the applicant and having considered the document annexed with the plaint, the fact remains that the sale deed that has been executed is a registered pursuant to the said registered sale deed a mutation entry has also been mutated in the revenue records by entry no.1323 dated 09.02.2009 and the said sale deed is under challenge by the legal heirs of signatory to the said sale deed who is defendant-Chandrasinh son of Nathusinh Karsansinh in the said suit.
5. In view of the same, the present matter requires consideration, hence issue **Notice** returnable on **29.08.2025**.
6. In the meantime, interim relief in terms of para no.6(C) is granted till the next date.

URIL RANA

(SANJEEV J.THAKER,J)