

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CIVIL REVISION APPLICATION NO. 494 of 2025**

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LEGAL HEIRS 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.63 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.63 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 release deed 03.06.2009 is under challenge by legal heirs of signatory to the said release deed. It has been argued that the defendant no.8 is father of the plaintiffs and

neither the said released deed have been challenged by the father i.e. defendant no.8 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 release deed that has been executed are registered document pursuant to the said registered release deeds a mutation entry has also been mutated in the revenue records by entry no.3480 dated 29.06.2009, the said release deeds is under challenge by the legal heirs of signatory to the said release deeds who is defendant no.8 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)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: RANA URIL K(HC01406), PRIVATE SECRETARY, at High Court of Gujarat on 05/08/2025 19:17:15