

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 4520 of 2024**

With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2024
In R/FIRST APPEAL NO. 4520 of 2024

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JASHODABEN BAKORBHAI SUTARIYA & ORS.

Versus

MANOHAR MOHANLAL HARIYANI & ORS.

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Appearance:

A R KADRI(7330) for the Appellant(s) No. 1,2,3,4,5

VASIMRAJA A KURESHI(8609) for the Appellant(s) No. 1,2,3,4,5

MR KASHYAP R JOSHI(2133) for the Defendant(s) No. 1

REFUSED SERVED (N)(10) for the Defendant(s) No. 2,3,4,5

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CORAM: HONOURABLE MR. JUSTICE A.Y. KOGJE

and

HONOURABLE MR. JUSTICE J. L. ODEDRA

Date : 24/12/2025

ORAL ORDER

(PER : HONOURABLE MR. JUSTICE A.Y. KOGJE)

1. Grievance raised is that though the judgement and order impugned amounts to a money decree, stay has been granted without their being any condition to deposit the amount of Rs.41 lakhs which is ordered to be refunded to the respondent herein.
2. In view of the aforesaid, as a last chance, matter is adjourned to 09.01.2026.

3. On the next date, the Court shall consider to impose a condition of depositing the entire amount of Rs.41 lakhs which the present appellant is enjoying having received as a consideration towards the subject property and which, pending the proceedings, has been sold to the third party from whom also the consideration is received.

(A.Y. KOGJE, J)

(J. L. ODEDRA, J)

SUDHIR