

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 6772 of 2023****FOR APPROVAL AND SIGNATURE:****HONOURABLE MR. JUSTICE HEMANT M. PRACHCHHAK Sd/-**

=====

Approved for Reporting	Yes	No
		No

=====

RUKAIYABANU ABDULAHMEED MAL & ANR.

Versus

KADRI RIZWAN MOHAMMED MIYA & ORS.

=====

Appearance:

MR ABDUL K SHAIKH(1629) for the Petitioner(s) No. 1,2

MR MOHAMMADUZAIR A SHAIKH(13140) for the Petitioner(s) No. 1,2

MR MANISH S SHAH(5859) for the Respondent(s) No. 5

SAQUIB S ANSARI(7152) for the Respondent(s) No. 1,2,3,4

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT M. PRACHCHHAK**Date : 21/04/2026****JUDGMENT**

1. Rule returnable forthwith. Mr. Saquib S. Ansari, learned counsel waives service of rule on behalf of respondent Nos. 1 to 4 and Mr. Manish S. Shah, learned counsel waives service of rule on behalf of respondent No.5.

2. Present petition is filed by the petitioner under Articles 14, 226 and 227 of the Constitution of India r/w the

provision under Section 20 and 21 of the Legal Service Authorities Act, 1987 seeking below mentioned relief/s:-

“8(A) This Honble Court may be pleased to quash and set aside order dt. 12.11.2022 passed by Honble High Court (Lok Adalat) at Annexure ‘A’.

(B) Pending admission and hearing and till final disposal, this Honble Court may be pleased to stay the further proceedings of Application for transfer of decree in Wakf Application No.20/2020 at Annexure ‘G’.

(C) This Honble Court may be pleased to grant such other and further reliefs as may be deemed fit and proper in the facts and circumstances of the case, in the interest of justice and equity.”

3. Heard Mr. Abdul Shaikh, learned counsel for the petitioners, Mr. Ansari, learned counsel for respondent Nos. 1 to 4 and Mr. Shah, learned counsel for respondent No.5

4. Learned counsel for the petitioners submits that Civil Revision Application No. 211 of 2022 was disposed of by this Court in Lok Adalat on the ground that a settlement had been arrived at between the parties vide order dated 12.11.2022; however, in fact, no such settlement was arrived at between the parties. He submits that thereafter, the petitioners preferred a Review Application, being Misc. Civil Application (For Review) No. 1 of 2023 along with Civil Application No. 2 of 2023, seeking review of the order dated 12.11.2022 passed in Civil Revision Application No. 211 of 2022, wherein this

Court, by order dated 20.03.2023, granted liberty to the petitioners to file a writ petition.

4.1 He further submits that, in view of the above, the present petition has been filed challenging the order dated 12.11.2022 passed in Civil Revision Application No. 211 of 2022.

5. Considering the facts and circumstances of the case and after hearing learned counsel appearing for the respective parties, this Court is of the opinion that present petition is required to be allowed.

6. Accordingly, the present petition is hereby allowed. Civil Revision Application No. 211 of 2022 is restored to its original file and status. Upon restoration, the Registry shall place the matter being Civil Revision Application No. 211 of 2022 before the appropriate Court dealing with Civil Revision Applications.

Sd/-

(HEMANT M. PRACHCHHAK,J)

SURESH SOLANKI