

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SECOND APPEAL NO. 246 of 2026****With****CIVIL APPLICATION (FOR STAY) NO. 1 of 2026****In R/SECOND APPEAL NO. 246 of 2026**

=====

DAKSHIN GUJARAT VIJ COMPANY LIMITED (DGVCL)

Versus

THAKORBHAI GANJANBHAI GAMIT & ORS.

=====

Appearance:

MR CHINMAY M GANDHI(3979) for the Appellant(s) No. 1

MS NIKITA C GANDHI(11570) for the Appellant(s) No. 1

=====

CORAM:**HONOURABLE MR. JUSTICE DEVAN M. DESAI****Date : 23/04/2026****ORAL ORDER**

1. Learned advocate for the appellant has submitted that the Execution Petition is filed by original plaintiffs which is kept today for further hearing. It is submitted that the present appellant is willing to deposit the entire decretal amount within a period of 6 weeks from today. It is further submitted that as and when decretal amount is deposited by the appellant, the learned Executing Court may not permit the plaintiff to withdraw the amount as the appellant herein has good case on facts and law, whereby the appellant is in a position to establish that the judgment and decree is erroneous.

2. Issue Notice to respondents, making it returnable on 06.05.2026. In the meantime, the appellant shall deposit the entire decretal amount before the learned Executing Court within a period of 6 weeks from today. On depositing the decretal amount, the plaintiff shall not withdraw the amount so deposited without leave of this Court.

(D. M. DESAI,J)

HIMAKSHI