

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 1950 of 2018****With****CIVIL APPLICATION (FOR STAY) NO. 1 of 2018****In R/FIRST APPEAL NO. 1950 of 2018****With****CIVIL APPLICATION (FOR VACATING INTERIM RELIEF) NO. 1 of 2022****In R/FIRST APPEAL NO. 1950 of 2018****With****R/FIRST APPEAL NO. 4290 of 2018****With****CIVIL APPLICATION (FOR STAY) NO. 1 of 2018****In R/FIRST APPEAL NO. 4290 of 2018**

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AMRISHBHAI VITTHALBHAI PATEL (DECD THRU LEGAL HEIRS) & ORS.

Versus

PRAVINBHAI MAGANBHAI AMIN & ORS.

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Appearance:

DECEASED LITIGANT THROUGH LEGAL HEIRS/ REPRESENTATIVES

for the Appellant(s) No. 1

MR MANTHAN K BHATT(6549) for the Appellant(s) No. 1.1,1.2,1.3

MR PRADEEP PATEL(642) for the Defendant(s) No. 1,2,3

RULE SERVED for the Defendant(s) No. 4,5

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CORAM:ADDITIONAL REGISTRAR (JUDICIAL)**Date : 11/03/2025****ORAL ORDER**

1. Perused the withdrawal of appearance note dated 05.03.2025 filed by learned advocate Mr. M. K. Bhatt addressed to the office along with zerox copy of original postal cover. Perused the office note dated 07.03.2025 pertaining to the same.
2. The learned advocate Mr. M. K. Bhatt for the Appellant Nos. 1.1 to

1.3 has submitted the withdrawal of appearance addressed to this office dated 05.03.2025 for withdrawal of his appearance on behalf of the Appellant Nos. 1.1 to 1.3 for deleting his name from the cause title of the captioned matter. The aforesaid withdrawal of appearance is annexed with communication dated 28.02.2025 addressed to the Appellant Nos. 1.1 to 1.3 along with zerox copy original postal cover. It is averred that the communication/original cover has returned back unserved as “Item Returned Refused”.

3. The Appellant Nos. 1.1 to 1.3 are duty bound to submit their new address either to their learned advocate or on the record of the Court for due service of notice to them. It, prima facie, transpires that the learned advocate has performed his part of duty to make due attempts for service of communication dated 28.02.2025 to the Appellant Nos. 1.1 to 1.3. Now, it is the turn of the Appellant Nos. 1.1 to 1.3 to furnish the new address on record. It, prima facie, appears that the learned advocate has tried his best for due service of communication to his client i.e. the Appellant Nos. 1.1 to 1.3 through RPAD in compliance of Rule 133 of the Gujarat High Court Rules, 1993 on the address available on record.
4. In view of the aforesaid submissions and on perusal of record, the withdrawal of appearance of learned advocate Mr. M. K. Bhatt dated 05.03.2025 and office note dated 07.03.2025 pertaining to the same are accepted herewith and disposed of accordingly. The office is directed to remove the name of learned advocate Mr. M. K. Bhatt as an advocate of the Appellant Nos. 1.1 to 1.3 from the

cause title of captioned matter/s at the earliest. The office is further directed to issue Advocate Notice to the Appellant Nos. 1.1 to 1.3 making it returnable on **22.04.2025**.

(P. S. DAVE)

ADDITIONAL REGISTRAR (JUDICIAL)

RB Desai