

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 7690 of 2025**

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DADABHAI ABHALBHAI LALU & ORS.

Versus

LEGAL HEIRS OF RAMANBHAI BHAILALBHAI PATEL & ORS.

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Appearance:

MR RISHABH R JAIN(12326) for the Petitioner(s) No. 1,10,2,3,4,5,6,7,8,9

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CORAM:HONOURABLE MR. JUSTICE MAULIK J.SHELAT**Date : 16/06/2025****ORAL ORDER**

1. Heard learned Advocate Mr. Digant Popat with learned Advocate Mr. Rishabh R. Jain for the petitioners.

2. After arguing for some time, under the instructions of his client, learned Advocate Mr. Popat for the petitioners does not press the present writ application. Nonetheless, he would request this Court that considering the observations made by the Trial Court in the order impugned in the present writ application, there is a reasonable apprehension in mind of the petitioners / original plaintiffs that same may come in the way of them. So, this Court may clear such apprehension by passing appropriate order.

3. Prima-facie, this Court is not find any such observation which may go against the plaintiffs when the suit proceeds for trial. Nonetheless, it is hereby made clear that the Trial Court is

required to decide lis between the parties as per the evidence coming forth on record and requires to adjudicate the suit as per such evidence come on record, albeit, in accordance with law without being influenced by any of the observation so made in the order passed by itself. Further, it is open for the petitioners to object the production of documents which are sought to be produced by way of the impugned application in a case where defendants seek leave of Trial Court under Order VIII rule 1-A (3) of C.P.C., as those documents are defence of the defendants.

4. Permission as prayed for, is granted. The present writ application is disposed of as withdrawn. No order as to costs.

(MAULIK J.SHELAT,J)

Nilesh

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: PARMAR NILESHKUMAR R(HCD0068), ENGLISH STENOGRAPHER GRADE TWO CLASS TWO, at High Court of Gujarat on 17/07/2025 11:42:14