

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 2310 of 1997****With****CIVIL APPLICATION NO. 1 of 1997****In R/FIRST APPEAL NO. 2310 of 1997****With****CIVIL APPLICATION (FOR ORDERS) NO. 1 of 2022****In R/FIRST APPEAL NO. 2310 of 1997****With****R/FIRST APPEAL NO. 2161 of 1997****=====**
SHREE MOTI BAHUCHARAJI MATA TRUST & ORS.**Versus****SURAT MODH PATNI GHANCHI PANCHTRUST & ORS.**
=====**Appearance:****DELETED for the Appellant(s) No. 10,11,2,3,5,6,8****MS KJ BRAHMBHATT(202) for the Appellant(s) No. 1,12,13,14,15,16,17,7****MS VARSHA BRAHMBHATT(3145) for the Appellant(s) No.****12,13,14,15,16,17,7****GOVERNMENT PLEADER for the Defendant(s) No. 2****MR SHAIVANG D MEHTA(5623) for the Defendant(s) No. 1****MS KHYATI P HATHI(346) for the Defendant(s) No. 3**
=====**CORAM:HONOURABLE MR. JUSTICE DEVAN M. DESAI****Date : 03/12/2025****ORAL ORDER**

1. When the matter was taken up for hearing, learned advocate Ms. Khyati Hathi for respondent No.3 has brought to the notice of this Court that a Note dated 19.08.2025 has been filed by her before the Registry *inter-alia* stating that respondent No.3 has

expired on 08.09.1999, and further seeks permission to withdraw her appearance for and on behalf of respondent No.3 from the First Appeal No.2310 of 1997.

2. Learned advocate Ms. K.J. Brahmbhatt for the appellant submits that since appellant was not knowing about the death of respondent No.3 and only came to know about the factum of death after the Office-Note was filed by learned advocate for respondent No.3, appropriate application could not be filed.

3. Learned advocate for the appellant therefore, prays for time to take appropriate steps.

4. Registry is directed to delete the name of learned advocate Ms. Khyati Hathi for respondent No.3 from the array of parties.

Stand over to 17.12.2025.

(D. M. DESAI,J)

MUSKAN