

**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

**CIVIL APPLICATION (FOR AMENDMENT) NO. 2 of 2022
In R/FIRST APPEAL NO. 2310 of 1997**

With

**CIVIL APPLICATION (FOR ORDERS) NO. 3 of 2022
In R/FIRST APPEAL NO. 2310 of 1997**

With

R/FIRST APPEAL NO. 2161 of 1997

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SHREE MOTI BAHUCHARAJI MATA TRUST & 5 other(s)

Versus

SURAT MODH PATNI GHANCHI PANCHTRUST & 2 other(s)

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Appearance:

MS KJ BRAHMBHATT(202) for the Appellant(s) No. 1

MS SUMAN J. MOTLA, AGP for the Defendant(s) No. 2

MR DHIRENDRA MEHTA(458) for the Defendant(s) No. 1

MS KHYATI P HATHI(346) for the Defendant(s) No. 3

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CORAM: HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 16/01/2023

ORAL ORDER

**Order in First Appeal No.2310 of 1997, Civil Application
No. 1 of 1997, Civil Application No. 1 of 2022 and
First Appeal No.2161 of 1997**

Stand over to 06.02.2023.

Order in Civil Application No. 3 of 2022

1. By way of this Civil Application, the applicants have prayed for substitution of name of original appellants/applicants, whose names are stated as per the prayer made.

2. In the Civil Application, the applicants have stated the events, which has led to the substitution, the same is not disputed by the learned advocate Mr.Dhirendra Mehta appearing for the respondent.

3. In view of the fact that the application is not disputed, the same is allowed and necessary substitution is permitted.

4. In view of that Civil Application is disposed of.

5. Necessary amendment to be carried out forthwith.

Order in Civil Application No. 2 of 2022

1. By way of this application, the applicant has prayed for the following amendment:

6. "B. Be pleased to permit the applicants to amend the cause title of the First Appeal No.2310 of 1997 and Civil Application No.1 of 1997 by adding the

new addresses of the original appellants/applicants no. 4, 7 and 9 as stated in the cause title of present application.

C. Be pleased to permit the applicants to amend the cause title of the First Appeal No.2310 of 1997 by deleting words "Manharlal Jaishankar residing at Baman Falia, Katargam appearing along with name of appellant no.1 trust being Shree Moti Bahucharaji Mata Trust in the interest of justice.

2. Heard learned advocate Ms.Varsha Brahmbhatt, learned advocate Mr.Dhirendra Mehta and learned AGP Ms.Suman Motla.

3. Considering the fact that the application for amendment is not opposed by the respondents. The same is allowed. Necessary amendment be carried out forthwith.

(NIRZAR S. DESAI,J)

KUMAR ALOK