

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SECOND APPEAL NO. 148 of 1998****With****CIVIL APPLICATION NO. 1 of 1998
In R/SECOND APPEAL NO. 148 of 1998****With****CIVIL APPLICATION (FOR AMENDMENT) NO. 1 of 2024
In R/SECOND APPEAL NO. 148 of 1998****With****CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 1 of 2025
In R/SECOND APPEAL NO. 148 of 1998****With****CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 2 of 2024
In R/SECOND APPEAL NO. 148 of 1998****With****CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 3 of 2024
In CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 2 of 2024
In R/SECOND APPEAL NO. 148 of 1998**=====

**DHIRUBHAI MOTIBHAI PATEL DECD.THRO'HEIRS SAVITABEN D PATEL
& ORS.**

Versus**PURSHOTTAM DAMODARDAS SHAH DECD.THROU HEIRS
VIPINCHANDRA & ORS.**
=====**Appearance:****MR AMAR D MITHANI(484) for the Appellant(s) No. 1.1,1.2****MR SHITAL R PATEL(2166) for the Respondent(s) No. 1.1****RULE SERVED for the Respondent(s) No. 3.3,3.4,3.6,3.8,4.2****RULE UNSERVED for the Respondent(s) No. 1.5,1.6,1.7,3.7,4.4****SHIVAM H CHOKSHI(9120) for the Respondent(s) No. 6,7****UNSERVED EXPIRED (R) for the Respondent(s) No.****1.2,1.3,1.4,3.1,3.2,3.5,4.1,4.3,5**
=====**CORAM:HONOURABLE MR.JUSTICE SANJEEV J.THAKER****Date : 11/06/2025****ORAL ORDER****ORDER IN CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 1 of 2025**

1. The present application has been filed to bring the legal heirs

of deceased respondent no.1.1 under the provisions of Order 22 Rule 4 of the Code of Civil Procedure, 1908.

2. It is the case of the applicant that respondent no.1.1- Vipinchandra Parshottamdas Shah alias Bakubhai Parshottamdas Shah expired on 09.01.2025 and the respondent no.1.1.1 to 1.1.3 are the legal heirs of deceased respondent no.1.1.
3. It has been stated that other legal heirs of Vipinchandra Parshottamdas Shah are already on record and therefore it is argued that the present application may be allowed.
4. Having heard learned advocate for the applicant and having considered the application, the fact remains that respondent no.1.1- Vipinchandra Parshottamdas Shah has expired on 09.01.2025 and right to sue survives.
5. In view of the said fact, the present application is allowed. Respondent no.1.1.1 to 1.1.3 are brought on record as legal heirs and legal representatives of deceased respondent no.1.1.
6. Necessary amendment be carried out.

URIL RANA

(SANJEEV J.THAKER,J)