

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/FIRST APPEAL NO. 2241 of 2024
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2024
In R/FIRST APPEAL NO. 2241 of 2024
With
R/FIRST APPEAL NO. 2021 of 2024
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2024
In R/FIRST APPEAL NO. 2021 of 2024

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SAIYED INTEKHABALAM MURTUZAALI

Versus

COMPETENT AUTHORITY AND SUB DIVISIONAL MAGISTRATE,
AHMEDABAD(EAST) & ORS.

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Appearance:

FIRST APPEAL NO.2241 OF 2024:

MR NV GANDHI(1693) for the Appellant(s) No. 1
MR BHAVESH DESAI AGP for the Defendant(s) No. 1
NOTICE SERVED for the Defendant(s) No. 2,3,5,6,7
NOTICE UNSERVED for the Defendant(s) No. 4

FIRST APPEAL NO.2021 OF 2024:

MR DHRUVIK PATEL for the Appellant(s) No. 1
MR BHAVESH DESAI AGP for the Defendant(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE ILESH J. VORA

and

HONOURABLE MR. JUSTICE R. T. VACHHANI

Date : 02/07/2026

ORAL ORDER

(PER : HONOURABLE MR. JUSTICE ILESH J. VORA)

ORDER IN FIRS APPEAL NO.2241 OF 2024:

ADMIT. Mr.Bhavesh Desai, learned Assistant Government Pleader waives service of notice of admission on behalf of respondent State.

ORDER IN C.A.(FOR STAY) NO.1 OF 2024 IN FIRST APPEAL NO.2241 OF 2024:

We have heard Ms.Mona Gupta, learned advocate for Mr.N.V.Gandhi, learned advocate for the appellant and Mr.Bhavesh Desai, learned Assistant Government Pleader for the Respondent State.

We have perused the order whereby the property shown at Sr.No.28 has already been released from the attachment by the Designated Special Judge (GPID), Ahmedabad Rural. Insofar as property at Sr.Nos.29 and 30 are concerned, this Court, vide order dated 13.06.2024, has stayed the auction proceedings.

Having regard to the peculiar facts and circumstances of the present case, the *interim relief* granted *vide* order dated 13.06.2024 qua property at Sr.Nos.29 and 30, stands confirmed till final disposal of this appeal. The Civil Application is disposed of accordingly.

ORDER IN FIRS APPEAL NO.2021 OF 2024:

ADMIT. Mr.Bhavesh Desai, learned Assistant Government Pleader waives service of notice of admission on behalf of respondent State.

ORDER IN C.A.(FOR STAY) NO.1 OF 2024 IN FIRST APPEAL NO.2021 OF 2024:

We have heard Mr.Dhruvik Patel, learned counsel for the appellant and Mr.Bhavesh Desai, learned Assistant Government Pleader for the Respondent State.

As submitted by learned counsel Mr.Patel for the

appellant, pursuant to order passed by this Court dated 13.06.2024, appellant herein has deposited Rs.25,00,000/- (Rupees Twenty Five Lakhs Only) before the Competent Court.

In view of the above, *interim relief* granted earlier by this Court *vide* order dated 13.06.2024 stands confirmed. The present Civil Application is disposed of accordingly.

(ILESH J. VORA,J)

(R. T. VACHHANI, J)

MISHRA AMIT V.