

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CIVIL REVISION APPLICATION NO. 408 of 2025**

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SUNILKUMAR GHANSHYAMDAS SHARMA & ORS.

Versus

BHAVINKUMAR DINESHBHAI SOLANKI & ORS.

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Appearance:

TURMISH B KANIYA(9428) for the Applicant(s) No. 1,10,11,12,2,3,4,5,6,7,8,9

VIRAL K SHAH(5210) for the Applicant(s) No. 1,10,11,12,2,3,4,5,6,7,8,9

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CORAM: HONOURABLE MR. JUSTICE SANJEEV J. THAKER**Date : 09/06/2025****ORAL ORDER**

1. The present Civil Revision Application has been filed challenging the order dated 29.03.2025 passed below Exhibit 17 in Special Civil Suit No.115 of 2023, whereby the 11th Additional Senior Civil Judge, Surat has rejected the application under Order VII Rule 11(a)(d) of the Code of Civil Procedure, 1908.
2. Learned advocate Mr.Viral K.Shah for the petitioner has drawn attention of this Court to the plaint filed in the Civil Suit No.115 of 2023, wherein the plaintiffs have filed the suit on the basis of the suit property being an ancestral property and that they have right in the property and by way of Civil Suit, the plaintiffs have challenged the sale deed executed on 05.05.2006, 18.12.2006 and 25.01.2022. The fact remains that the plaintiffs are claiming right in the property on the grounds that the suit property belonged to the Durlabhbhai Makanbhai and after his death the property came in

the hands of Kalidasbhai Durlabhbbhai who had expired on 23.09.2015 and father of the plaintiffs i.e. Dineshbhai is defendant no.18 in the suit proceedings.

3. On perusal of the plaint and documents annexed with the plaint, it has been observed that the saledeed dated 05.05.2006 has been executed by the power of attorney holder of the grandfather of the plaintiff i.e. Kalidasbhai and the father of the plaintiffs i.e. Dineshbhai, defendant no.18 therein, the fact remains that even the father of the plaintiffs i.e. defendant no.18 has in the year 2016 confirmed the said saledeed vide registered confirmation deed dated 28.03.2016.
4. In view of the said fact, the present matter requires consideration, hence issue **Notice** returnable on **01.07.2025**. In the meantime, interim relief in terms of para no.13(B) is granted till the next date. Direct service is permitted.

URIL RANA

(SANJEEV J.THAKER,J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: RANA URIL K(HC01406), PRIVATE SECRETARY, at High Court of Gujarat on 10/06/2025 12:53:31