

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/FIRST APPEAL NO. 428 of 2003**

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PRABHUDAS BHOLENATH AGARWAL DECD.THRO'HIS HEIRS  
Versus  
FATMABAI SAMSUDDIN LIGHTWALA & 1 other(s)

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**Appearance:**

MR KV SHELAT(834) for the Appellant(s) No. 1,1.1,1.2,1.3,1.4,1.5,1.6,1.7,1.8  
MR JT TRIVEDI(931) for the Defendant(s) No. 1  
RULE SERVED for the Defendant(s) No. 1  
RULE UNSERVED for the Defendant(s) No. 2.1  
UNSERVED EXPIRED (R) for the Defendant(s) No. 2

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**CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL**

**Date : 18/01/2023**

**ORAL ORDER**

Learned Advocate Mr.K. V. Shelat appearing on behalf of the appellants seeks permission to delete respondent No.2 from the array of respondents as the said respondent could not be served with the copy of the appeal since the appeal had been filed. Considering the request, the same is granted. The respondent No.2 is directed to be deleted from the array of respondents. List this appeal on 15.2.2023 for final hearing.

V.V.P. PODUVAL

**(NIKHIL S. KARIEL,J)**