

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CIVIL REVISION APPLICATION NO. 413 of 2025**

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PYARMOHAMMED HAJI YUSUFBHAI LUHAR

Versus

NOORMOHAMMED HAJI YUSUFBHAI LUHAR & ORS.

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Appearance:

MR MRUGEN K PUROHIT(1224) for the Applicant(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE MOOL CHAND TYAGI

Date : 21/05/2025

ORAL ORDER

Learned counsel for the petitioner submitted that petitioner herein is original defendant in Regular Civil Suit No.91 of 1986 instituted for possession in respect of property being City Survey No.54 Kakada No.440 Paiki, admeasuring 1500 Sq. ft. situated at Village:Himmatnagar. He further submitted that the said suit was dismissed, and thereafter, the Civil Appeal No.32 of 1999 was preferred and the same was allowed and decree was drawn in accordance to the judgment rendered in the said appeal. The original plaintiff, who is respondent herein preferred the application of the said order after 11 years. After passing of the decree, the compromise has taken place in respect of the same property. The petitioner herein has preferred the objections before the Learned Executing Court. The learned Executing Court dismissed the same without taking into consideration the factum of compromise. Having considered the submissions and perusal of the record, the impugned order dated 09.05.2025 passed in Execution Proceedings No.24 of 2016 is stayed till the next date of hearing.

Issue Notice returnable on 01.07.2025.

Direct service is permitted.

(MOOL CHAND TYAGI, J)

HARSHIT/GIRISH