

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/FIRST APPEAL NO. 652 of 2013

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NAGINBHAI KESHAVBHAI VANDAR

Versus

**PASCHIM GUJARAT VIJ COMPANY LTD (FORMERLY KNOWN AS
GUJARAT & ANR.**

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Appearance:

MR HARSHIT S TOLIA(2708) for the Appellant(s) No. 1

MR PARTH S TOLIA(5617) for the Appellant(s) No. 1

MR RITURAJ M MEENA(3224) for the Defendant(s) No. 1

RULE NOT RECD BACK for the Defendant(s) No. 2

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CORAM: HONOURABLE MR. JUSTICE ILESH J. VORA

and

HONOURABLE MR. JUSTICE R. T. VACHHANI

Date : 10/09/2026

ORAL ORDER

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

1. Mr. .Parth Tolia, learned advocate is tendering the correspondence of prior intimation given to the appellant for withdrawal of their appearance and same is taken on record.
2. This First Appeal is directed against the judgment and decree passed in Special Civil Suit No. 14 of 2008, whereby, the Additional Senior Civil Judge, Veraval, by allowing the money suit filed by the respondents, directed the appellant to pay the decreetal amount along with the interest.
3. Mr. Parth Tolia, learned advocate taking basis of the intimation, as produced, requested this Court to permit the advocate on record as well as the others to withdraw their appearance for and on behalf

of the appellant. The permission as sought is granted.

4. Having regard to the facts of the case and intimation given by the counsel to the appellant, we do not deem it fit to issue advocate notice on the appellant. The appellant – original defendant no. 2 is aware about the pendency of the appeal and despite of this, he has not cared to replace the advocate.
5. Thus, by exercising our powers under Order 47 Rule 17 of the Code of Civil Procedure, the appeal is ordered to be dismissed on the ground of non-prosecution. Accordingly, appeal stands dismissed.

(ILESH J. VORA, J)

(R. T. VACHHANI, J)

P.S. JOSHI