

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 12191 of 2009****With****CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 1 of 2020
In R/SPECIAL CIVIL APPLICATION NO. 12191 of 2009**=====
KESARBEN WD/O ISHWARPURI LALPURI & ANR.**Versus****FULBA WD/O SHANKARPURI MOHANPURI & ORS.**
=====**Appearance:**

MR CHINMAY M GANDHI(3979) for the Petitioner(s) No. 1,2
 ADVOCATE NOTICE SERVED for the Respondent(s) No. 2,21,22,7
 ADVOCATE NOTICE UNSERVED for the Respondent(s) No. 24,25
 RULE SERVED BY DS for the Respondent(s) No. 12,9.1,9.2,9.3,9.4
 UNSERVED EXPIRED (N) for the Respondent(s) No. 31
 VMP LEGAL(7210) for the Respondent(s) No. 36
 DECEASED LITIGANT THROUGH LEGAL HEIRS/ REPRESENTATIVES
 for the Respondent(s) No. 5
 MR ANSHIN H DESAI(1020) for the Respondent(s) No. 23
 MR DEEPAK T DAVE(250) for the Respondent(s) No. 11
 MR PINAKIN M RAVAL(2495) for the Respondent(s) No. 27,28
 MR PRADEEP PATEL(642) for the Respondent(s) No.
 1,10,11,13.1,13.2,14,15,16,17,18,19,21,3,4,5.1,5.2,5.3,6,7,8
 MS TRUSHA K PATEL(2434) for the Respondent(s) No. 34
 REFUSED SERVED (N)(10) for the Respondent(s) No. 19,5.1,5.2,5.3,6
 RULE SERVED for the Respondent(s) No.
 20,26,29,30,31.1,31.2,31.3,32,33,35

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CORAM:ADDITIONAL REGISTRAR (JUDICIAL)**Date : 27/02/2026****ORAL ORDER**

1. Heard learned Advocate Mr. Bhavesh Babariya on behalf of learned Advocate Ms. Trusha K. Patel appearing for the Respondent No. 34.
2. Perused the withdrawal of appearance note dated 24.02.2026 filed

by learned advocate Ms. Trusha K. Patel addressed to the office along with postal slip and copy of track consignment report of Postal Department. Perused the office note dated 25.02.2026 pertaining to the same.

3. The learned advocate Ms. Trusha K. Patel for the Respondent No. 34 has submitted the withdrawal of appearance addressed to this office dated 24.02.2026 for withdrawal of her appearance on behalf of the Respondent No. 34 for deleting her name from the cause title of the captioned matter. The aforesaid withdrawal of appearance is annexed with communication dated 03.12.2024 addressed to the Respondent No. 34 along with postal slip and copy of track consignment report of Postal Department. It is averred that the communication/original cover has returned back unserved as “Insufficient Address”.
4. The Respondent No. 34 is duty bound to submit his new address either to his learned advocate or on the record of the Court for due service of notice to him. It, prima facie, transpires that the learned advocate has performed his part of duty to make due attempts for service of communication dated 03.12.2024 to the Respondent No. 34. Now, it is the turn of the Respondent No. 34 to furnish the new address on record. It, prima facie, appears that the learned advocate has tried his best for due service of communication to his client i.e. the Respondent No. 34 through RPAD in compliance of Rule 133 of the Gujarat High Court Rules, 1993 on the address available on record.
5. In view of the aforesaid submissions and on perusal of record, the withdrawal of appearance of learned advocate Ms. Trusha K. Patel

dated 24.02.2026 and office note dated 25.02.2026 pertaining to the same are accepted herewith and disposed of accordingly. The office is directed to remove the name of learned advocate Ms. Trusha K. Patel as an advocate of the Respondent No. 34 from the cause title of captioned matter/s at the earliest. The office is further directed to issue Advocate Notice to the Respondent No. 34 making it returnable on **10.04.2026**.

(M. B. RATHORE)

ADDITIONAL REGISTRAR (JUDICIAL)

RB DESAI