

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 2431 of 2014****With****CIVIL APPLICATION (FOR ORDERS) NO. 1 of 2016****In R/FIRST APPEAL NO. 2431 of 2014****With****CIVIL APPLICATION (FOR JOINING PARTY) NO. 1 of 2023****In R/FIRST APPEAL NO. 2431 of 2014****With****R/FIRST APPEAL NO. 2496 of 2014****With****CIVIL APPLICATION (FOR JOINING PARTY) NO. 1 of 2023****In R/FIRST APPEAL NO. 2496 of 2014****With****CIVIL APPLICATION (FOR ORDERS) NO. 1 of 2016****In R/FIRST APPEAL NO. 2496 of 2014****With****CIVIL APPLICATION (FOR STAY) NO. 1 of 2014****In R/FIRST APPEAL NO. 2496 of 2014**=====
DECEASED MOHANBHAI CHANABHAI PATEL THROUGH HEIRS & ORS.**Versus****MANIBEN D-O. CHANIYABHAI JIVANBHAI & ORS.**
=====**Appearance:**

for the Appellant(s) No. 1.1,1.2,1.3,1.4,1.5,1.6,1.7

MR ANIL S DAVE(242) for the Appellant(s) No. 1.1,1.2,1.3,1.4,1.5,1.6,1.7

MR HARDIK H PANDIT(5820) for the Appellant(s) No. 1,2,3,4,5,6,7,8

HARSH V GAJJAR(7828) for the Defendant(s) No. 3,4

MR VIRAL K SALOT(3500) for the Defendant(s) No. 2.1,2.2,2.3

MR.DIPAK B PATEL(3744) for the Defendant(s) No. 1
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CORAM:ADDITIONAL REGISTRAR (JUDICIAL)**Date : 28/03/2024****ORAL ORDER****in R/FIRST APPEAL NO. 2431 of 2014****With****CIVIL APPLICATION (FOR ORDERS) NO. 1 of 2016****In R/FIRST APPEAL NO. 2431 of 2014****With****CIVIL APPLICATION (FOR JOINING PARTY) NO. 1 of 2023**

In R/FIRST APPEAL NO. 2431 of 2014

1. Heard learned advocate Mr. Harsh V. Gajjar for respondent nos. 3 to 4. Perused the withdrawal of appearance note dated 22.02.2024 filed by learned advocate Mr. Harsh V. Gajjar addressed to the office. The withdrawal of appearance is annexed with the copy of communication dated 21.02.2024 addressed to respondent nos. 3 to 4 along with copy of postal slip and a copy of online status report of postal department. Perused the office note dated 26.02.2024 pertaining to the same.
2. The learned advocate for respondent nos. 3 to 4 has submitted the withdrawal of appearance addressed to this office dated 22.02.2024 for respondent nos. 3 to 4 for deleting his name from the cause title of the captioned matter. The withdrawal of appearance dated 22.02.2024 is annexed with the copy of communication dated 21.02.2024 addressed to respondent nos. 3 to 4 along with the copy of postal slip and a copy of online status report of postal department bearing acknowledgement by respondent nos. 3 to 4. Those documents prima facie show that the aforesaid communication has been duly acknowledged by respondent nos. 3 to 4.
3. In view of the aforesaid averments and on perusal of the record, the withdrawal of appearance filed by learned advocate Mr. Harsh V. Gajjar dated 22.02.2024 and the office note dated 26.02.2024 pertaining to the same are accepted herewith and disposed of accordingly. The office is directed to remove the name of learned

advocate Mr. Harsh V. Gajjar as an advocates of respondent nos. 3 to 4 from the cause title of the captioned matter at the earliest, subject to condition that the learned advocate shall return all the case papers to his client as well as provide NOC on the new Vakalatnama as and when demanded by his client. As a consequential effect, the office is further directed to issue advocate notice to respondent nos. 3 to 4 making it returnable within 4 weeks since the matter is critically old.

**Oral order in
R/FIRST APPEAL NO. 2496 of 2014
With
CIVIL APPLICATION (FOR JOINING PARTY) NO. 1 of 2023
In R/FIRST APPEAL NO. 2496 of 2014
With
CIVIL APPLICATION (FOR ORDERS) NO. 1 of 2016
In R/FIRST APPEAL NO. 2496 of 2014
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2014
In R/FIRST APPEAL NO. 2496 of 2014**

4. Heard learned advocate Mr. Harsh V. Gajjar on behalf of learned advocate Mr. B. S. Khatana for appellant nos. 1 and 2. Perused the withdrawal of appearance note dated 22.02.2024 filed by learned advocate Mr. B. S. Khatana addressed to the office. The withdrawal of appearance is annexed with the copy of communication dated 21.02.2024 addressed to appellant nos. 1 and 2 along with copy of postal slip and a copy of online status report of postal department. Perused the office note dated 26.02.2024 pertaining to the same.
5. The learned advocate for appellant nos. 1 and 2 has submitted the withdrawal of appearance addressed to this office dated 22.02.2024

for appellant nos. 1 and 2 for deleting his name from the cause title of the captioned matter. The withdrawal of appearance dated 22.02.2024 is annexed with the copy of communication dated 21.02.2024 addressed to appellant nos. 1 and 2 along with the copy of postal slip and a copy of online status report of postal department bearing acknowledgement by appellant nos. 1 and 2. Those documents prima facie show that the aforesaid communication has been duly acknowledged by appellant nos. 1 and 2.

6. In view of the aforesaid averments and on perusal of the record, the withdrawal of appearance filed by learned advocate Mr. B. S. Khatana dated 22.02.2024 and the office note dated 26.02.2024 pertaining to the same are accepted herewith and disposed of accordingly. The office is directed to remove the name of learned advocate Mr. B. S. Khatana as an advocates of appellant nos. 1 and 2 from the cause title of the captioned matter at the earliest, subject to condition that the learned advocate shall return all the case papers to his client as well as provide NOC on the new Vakalatnama as and when demanded by his client. As a consequential effect, the office is further directed to issue advocate notice to appellant nos. 1 and 2 making it returnable within 4 weeks since the matter is critically old.

(M. K. UPADHYAY)

ADDITIONAL REGISTRAR (JUDICIAL)

SSVohra