

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 8767 of 2026****With****R/SPECIAL CIVIL APPLICATION NO. 8768 of 2026****With****R/SPECIAL CIVIL APPLICATION NO. 9574 of 2026****With****R/SPECIAL CIVIL APPLICATION NO. 9576 of 2026**

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CHERISH PRAKASHBHAI PATEL & ORS.**Versus****SHRI AMBRISHESHWAR MAHADEV AND SHRI AMBA MATA TEMPLE
TRUST THROUGH ITS TRUSTEES & ORS.**

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Appearance:**Sr. Advocate Mr. DEVANG NANAVATI with MR SP MAJMUDAR(3456) for
the Petitioner(s) No. 1,2,3,4****MR. HJ KARATHIYA(7012) for the Petitioner(s) No. 1,2,3,4****MR. NIKUNJ KANARA, AGP for the Respondent(s) No. 6,7****MR RUTUL P DESAI(6498) for the Respondent(s) No. 3****Sr. Advocate Mr. MIHIR THAKORE with MR SALIL M THAKORE(5821)
for the Respondent(s) No. 1,2**

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI**Date : 20/07/2026****COMMON ORDER**

1. Heard learned Senior Advocate Mr. Devang Nanavati with learned Advocate Mr. S.P. Majmudar in SCA No. 8767 of 2026 and SCA No. 8768 of 2026 and learned Advocate Mr. Utpal Panchal in SCA No. 9574 of 2026 and SCA No. 9576 of 2026 for the petitioner, learned Senior Advocate Mr. Mihir Thakore

with learned Advocate Mr. Salil Thakore and Mr. Mrugen Purohit for the Respondent Trust, Shri Amrishwar Mahadev and Ambaji Mata Mandir Trust, learned GP Mr. G. H. Virk for the Charity Commissioner and learned Advocate Mr. M.I. Merchant with learned Advocate Mr. Rutul Desai for Respondent No. 3, being the purchaser in whose favor the sale deed is executed, in both the matters.

2. The matter was heard for a considerably long time and ultimately, at the end of the hearing, all learned counsel appearing for the contesting parties i.e. learned Senior Advocate Mr. Nanavati, learned Senior Advocate Mr. Thakore, learned Advocate Mr. Utpal Panchal, and learned Advocate Mr. M.I. Merchant, have agreed to the following terms:-

(i) All the rights and contentions of all parties would be kept open and the matter may be kept for final hearing. **Hence Rule returnable on 24.09.2026.** Learned AGP Mr. Kanara, Mr. Rutul Desai, learned advocate and learned advocate Mr. Salil Thakore, waive service of notice for the respective respondents represented by them. For the remaining respondents, if any, direct service is permitted.

(ii) Till further orders, the statement made by Mr. Rutul Desai in all these matters upon instructions the undertaking given before the Gujarat Revenue Tribunal by the purchaser of the land in question in respect of both the sale deeds shall continue to operate.

3. It is also agreed upon by and between the parties that in case of any change of circumstances, either party would be at liberty to file an appropriate application for vacation or modification of the above order.

4. Learned Senior Advocate Mr. Thakore submitted that this Court may clarify that this Court has kept the issues related to the maintainability of the petition, the locus of the petitioners, and the power of the Gujarat Revenue Tribunal to condone the delay, as they have not been considered by this Court while passing this order, and therefore those issues are kept open.

(NIRZAR S. DESAI,J)

PARMAR CHIRAG