

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 872 of 2016**

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EXECUTIVE ENGINEER

Versus

LEGAL HEIRS OF RAJENDRASINH TAKHATSINH CHAUHAN & ORS.

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Appearance:

MR RB THAKOR(6743) for the Appellant(s) No. 1

MR RAXIT J DHOLAKIA(3709) for the Defendant(s) No. 1.1,1.2

RULE SERVED for the Defendant(s) No. 2

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CORAM: **HONOURABLE MR. JUSTICE A.Y. KOGJE**

and

HONOURABLE MR. JUSTICE J. L. ODEDRA**Date : 09/01/2026****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE A.Y. KOGJE)**

1. The present appeal is a cognate appeal of First Appeal No.1706 of 2015, which is preferred by the claimants.

2. Learned advocate for the applicant has drawn our attention to the fact that respondent No.1/1, who is one the wife and one of the legal representatives of the original claimant has expired on 25.06.2025.

3. Learned advocate for the claimant submits that the legal representatives of respondent No.1/1-Chauhan Sobhagayakuvar Rajendrasinh have already been brought on record in First Appeal No.1706 of 2015 against the very judgment and award.

4. The Court observes that over and above, respondent No.1/2 in the present appeal, there are five other legal

representatives being daughters of the original claimant, who are required to be brought on record as legal representatives being (1) Chauhan Manharkumari Rajendrasinh, (2) Chauhan Krishnakumari Rajendrasinh, (3) Chauhan Mohinikumari Rajendrasinh, (4) Chauhan Rajkumari Rajendrasinh and (5) Chauhan Dharmishtakumari Rajendrasinh.

5. Though learned advocate for the appellant has sought adjournment so as to prefer application for bringing legal heirs on record however, the Court considering the fact that in cognate appeal as the legal heirs are already on record and they are represented by learned advocate Mr. Raxit Dholakia and he undertakes to file his appearance, the Court may exempt the appellant from filing separate application permitting him to amend the cause-title of the appeal by adding legal heirs who are already on record in the First Appeal of the claimant. Learned advocate to carry out the amendment in the cause-title of the appeal and Civil Application, if any, on or before 15.01.2026. Registry to list the appeal for final disposal on **27.01.2026** alongwith the cognate appeal.

(A.Y. KOGJE, J)

(J. L. ODEDRA, J)

SIDDHARTH

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: SIDDHARTH R DAVE(HC01065), Private Secretary, at High Court of Gujarat on 13/01/2026 10:41:57