

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SECOND APPEAL NO. 84 of 2015****With****CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 1 of 2016
In R/SECOND APPEAL NO. 84 of 2015****With****CIVIL APPLICATION (FOR STAY) NO. 2 of 2015
In R/SECOND APPEAL NO. 84 of 2015****With****CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 2 of 2016
In R/SECOND APPEAL NO. 84 of 2015****With****F/SECOND APPEAL NO. 211 of 2015****With****CIVIL APPLICATION (FOR STAY) NO. 1 of 2015
In F/SECOND APPEAL NO. 211 of 2015****With****CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 2 of 2015
In F/SECOND APPEAL NO. 211 of 2015****With****CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 3 of 2016
In F/SECOND APPEAL NO. 211 of 2015****With****CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 4 of 2016
In F/SECOND APPEAL NO. 211 of 2015**=====
RAVISHANKAR KARSANJI MEHTA**Versus****HASUMATI MANSUKHLAL MEHTA & 4 other(s)**
=====**Appearance:****MR P J YAGNIK(1004) for the Appellant(s) No. 1****AAKASH D MODI(7449) for the Respondent(s) No. 1,2****MR PRABHAKAR UPADYAY(1060) for the Respondent(s) No. 1,2****NOTICE SERVED for the Respondent(s) No. 3****UNSERVED EXPIRED (N) for the Respondent(s) No. 5**
=====**CORAM: HONOURABLE MS. JUSTICE NISHA M. THAKORE****Date : 06/07/2022****ORAL ORDER**

1. Mr. P.J. Yagnik, learned counsel for the appellant submits that sole appellant – Ravishankar Karsanaji Mehta in Second Appeal No.84 of 2015 has expired and the heirs and legal representatives of said deceased appellant are required to be brought on record.

2. Mr. Akash Modi, learned counsel for the respondent Nos.1 and 2 states that pending the Appeal, the respondent Nos.1 had expired on 09.01.2019 and the details of the heirs and legal representatives of the deceased respondent No.1 has been shared with the learned counsel appearing for the appellant. However, till date, no application has been moved for bringing the heirs and legal representatives of said deceased respondent No.1. He further submitted that in the Second Appeal considering the nature of dispute involved, this Court had directed to hear these matters for final disposal. He further submitted that execution proceedings in the Court below has remained stayed since the year 2018 and present Second Appeals are not heard and are adjourned from time to time. He, therefore, objects to grant of time.

3. Considering the fact that the appellant and respondent No.1 have been reported to have expired, learned counsel appearing for the appellant is directed to take appropriate steps before the next date of hearing.

Registry is directed to notify these matters for final disposal on 29.07.2022.

Interim relief granted earlier, to continue till then.

Registry is directed to call for Record and Proceedings from the concerned trial Court so as to reach this Court on or before the next date.