

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/FIRST APPEAL NO. 562 of 2013
With
CIVIL APPLICATION NO. 1 of 2013
(Old Civil Application No.2437 of 2013)

With

R/FIRST APPEAL NO. 1510 of 2010
With
CIVIL APPLICATION NO. 2 OF 2016
(Old Civil Application No. 10406 of 2016)

With

R/FIRST APPEAL NO. 1511 of 2010

=====

NATHABHAI @ PRATAPBHAI DUDABHAI BARADAppellant

Versus

DHIRSINHBHAI KARSANBHAI BARAD
AND OTHERSRespondents

=====

Appearance:

First Appeal No. 562 of 2013 :

MR.VIRAL K SHAH, ADVOCATE for the Appellant

MR B M MANGUKIYA, ADVOCATE for the contesting Respondent No. 1

MR. SWAPNESHWAR GAUTAM, AGP for the State Authorities

First Appeal No. 1510 of 2010 :

MR B M MANGUKIYA, ADVOCATE for the Appellants

MR.VIRAL K SHAH, ADVOCATE for contesting Respondents No. 1, 2, 4 & 6

MR A J YAGNIK, ADVOCATE for the Respondents No. 9 to 49

MR. NIRAV C. THAKKAR, ADVOCATE

MR. SWAPNESHWAR GAUTAM, AGP for the State Authorities

First Appeal No. 1511 of 2010 :

MR B M MANGUKIYA, ADVOCATE for the Appellants

MR.VIRAL K SHAH, Advocate for contesting Respondents No.1, 2, 3, 4 & 6

MR. SWAPNESHWAR GAUTAM, AGP for the State Authorities

MR. A.J. YAGNIK, ADVOCATE for the Respondents No. 7 to 47

=====

CORAM: HONOURABLE MR.JUSTICE PARESH UPADHYAY

Date : 19/09/2018

ORAL ORDER

1. The arguments of the learned advocates for the respective parties, in (i) First Appeal Nos. 1510 of 2010 and (ii) 1511 of 2010 were concluded before this Court on 11.07.2018 and the judgment was reserved by this Court on that day.

2. Subsequently, First Appeal No. 562 of 2013 was listed for hearing before this Court. While considering the said appeal, from record it transpired that, in the said matter, this Court (Coram : Hon'ble Mr. Justice Z.K. Saiyed) had, on 13.03.2013, recorded the following order.

"Admit.

To be heard with First Appeal Nos. 1510 of 2010 and 1511 of 2010."

3. Thus, First Appeal No. 562 of 2013 was required to be heard along with First Appeal Nos. 1510 of 2010 and 1511 of 2010. For this reason, though First Appeal Nos. 1510 of 2010

and 1511 of 2010 were reserved for judgment on 11.07.2018, both those appeals are notified again today, for hearing along with First Appeal No. 562 of 2013.

4. Learned advocates for the respective parties are heard again, today.

5. Arguments are concluded.

6. Judgment/ order is reserved.

(PARESH UPADHYAY, J)

SALIM/15/18