

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 8369 of 2026**

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BEHRAM RUSTOMJI MEHTA & ANR.

Versus

MANOJ RASIKLAL SHAH & ORS.

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Appearance:

MR. RASHESH SANJANWALA, SR. ADVOCATE WITH
SHASHVATA U SHUKLA & JEET PATEL, (8069) for the

Petitioner(s) No. 1,2

G H VIRK(7392) for the Respondent(s) No. 4

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CORAM:HONOURABLE MR. JUSTICE MAULIK J.SHELAT

Date : 22/06/2026

ORAL ORDER

1. Heard Mr. Rashesh Sanjanwala, learned Senior Counsel with Mr. Shashvata U. Shukla, learned advocate for the petitioners.

2. At the outset, Mr. Sanjanwala, learned Senior Counsel, under the instructions of his instructing advocate, would inform this Court that after passing of order impugned in this petition by the Trial Court on 06.05.2026, learned advocate for the petitioners herein appearing before the Trial Court had tried to submit review application as the observation made in the impugned order, is *ex facie* erroneous, inasmuch as there are apparent error on the face of the order itself.

2.1 Copy of review application which was affirmed on 10.06.2026, is shown to this Court. Nonetheless, the learned Trial Court has refused to accept such review application only

on the ground that suit is of the year 2000.

3. Having heard Mr. Sanjanwala, learned Senior Counsel at length and considering the fact that the petitioners were intended to file review application having found apparent error on the face of the order, according to my view, at this stage, without further delving into the matter, the petitioners are permitted to file such review application which was already prepared by them and same shall be submitted today itself, as the date is fixed for the cross examination of the plaintiff.

4. As and when such application will be filed during the course of the day, the Trial Court is hereby directed to accept such application and after giving an opportunity of hearing to the parties concerned, adjudicate such application on merits before the proceedings with the cross examination of the plaintiff.

5. In view of the aforesaid, Stand over to **2nd July, 2026**.

Lalji Desai

(MAULIK J.SHELAT,J.)