

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 8726 of 2026**

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NANDABEN CHATURBHAI MAKWANA

Versus

VIMALBEN JASHWANTBHAI MAKWANA & ORS.

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Appearance:

MR MB RANA(2760) for the Petitioner(s) No. 1

JWALIT B SONEJI(7895) for the Respondent(s) No. 1,2

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CORAM:HONOURABLE MR. JUSTICE MAULIK J.SHELAT**Date : 03/07/2026****ORAL ORDER**

1. Heard Mr. M. B. Rana, learned advocate for the petitioner and Mr. Jwalit B. Soneji, learned advocate for the respondent nos. 1 and 2 on Caveat

2. It appears that while issuing Notice in the Appeal/Injunction Application, Appellate Court vide its order dated 09.06.2025 observed that the petitioner – plaintiff is in possession of suit property and such possession requires to be protected till notice is served upon the respondents. Nonetheless, after hearing the parties, the Appellate Court has rejected the injunction application and also vacated the order of status quo.

2.1. It further appears that this Court vide its order dated 01.02.2013 passed in Special Civil Application No. 3126 of 2007 upon

joint request made by both sides, directed the parties to maintain status quo qua the disputed property prevailing as on that day.

3. Taking note of the aforesaid observations made by this Court and the Appellate Court as referred to herein-above, at this stage, according to my view, the order of status quo qua the disputed property is required to be continued subject to hearing the rest of the respondents.

4. In view of the aforesaid, Issue **Notice**, returnable on **14.08.2026**. Mr. Jwalit B. Soneji, learned advocate waives the service of notice for and on behalf of respondent nos. 1 and 2.

5. In the meantime, the parties are directed to maintain status quo qua the possession of the suit property.

(MAULIK J.SHELAT,J)

KUMKUM

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: KUMKUM MAHENDRA SHARMA(HC02349), ENGLISH STENO GRADE-II, at High Court of Gujarat on 03/07/2026 18:50:32