

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 3910 of 2010**

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M/S WEIGHSCALE INDIA PVT LTD**Versus****KISHOREBHAI @ KASHIRAM SHANKARDAS PATEL & ANR.**

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Appearance:

MR MEHUL S SHAH(772) for the Appellant(s) No. 1

MR DR BHATT(165) for the Defendant(s) No. 1

RULE SERVED for the Defendant(s) No. 1,2

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CORAM:HONOURABLE MR. JUSTICE SANDEEP N. BHATT**Date : 03/10/2024****ORAL ORDER**

When the matter is called out, learned advocate Mr.D.R.Bhatt for the respondent is not present. Learned advocate Mr.Shah for the appellant is present.

Learned advocate Mr.Shah has drawn my attention to the judgment of Hon'ble Division Bench of this Court in the case of *Posco Poggenamp Electrical Steel Pvt.Ltd. V/s Tbea Energy (India) Pvt.Ltd., reported in AIR 2023 CC 2101* and submitted that in the present appeal, the issue pertains to claiming interest in the summary suit and the said issue is covered by the aforesaid judgment.

Learned advocate Mr.Shah also submitted that even on earlier occasion, learned advocate Mr.Bhatt was not present and shown his helplessness to proceed with the appeal.

Considering the same, as a last chance, matter is adjourned to 9.10.2024 for further consideration with a clarification that the matter shall be proceeded on that day, irrespective of absence of any of the learned advocates for the parties.

SRILATHA

(SANDEEP N. BHATT,J)