

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 8819 of 2026**

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HINA ASHOK GAJJAR

Versus

JYOTINDRA PRANLAL JARIWALA

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Appearance:

MR MEHUL SHARAD SHAH(773) for the Petitioner(s) No. 1

NAJMUDDIN R MEGHANI(7834) for the Petitioner(s) No. 1

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

1. Heard Mr. Mehul Sharad Shah, learned advocate for the petitioner.
2. At the outset, Mr. Shah, learned advocate for the petitioner would submit that the petitioner happens to be the owner of the suit property who gave the suit property – house to the respondent on leave and license agreement which was already expired and suit is filed for eviction. It is submitted that during the pendency of the suit proceedings, since the respondent is not paying any amount towards using the suit premises, the impugned application below Exhibit-18 was filed, which came to be rejected by the Trial Court without proper application of mind.
3. It is further submitted that the last agreed rent was of Rs.18,750

and since September-October, 2021, the respondent – defendant is not paying any amount towards such rent. Lastly, it is submitted that instead of granting Rs.25,000/- as prayed in the impugned application, at least the respondent could have been directed to pay / deposit a sum of Rs.18,750/- from September / October, 2021 till the final adjudication of the suit proceedings.

4. Having heard the learned advocate for the petitioner and upon perusal of the impugned order as well as application, this petition requires consideration. Issue **NOTICE** for final disposal, returnable on **07th August, 2026**.

5. Direct service is permitted. It is open for the petitioner to request for early hearing of this petition as she is senior citizen.

(MAULIK J.SHELAT,J)

Lalji Desai