

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 535 of 2016****With****CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 1 of 2021****In****R/SPECIAL CIVIL APPLICATION NO. 535 of 2016**

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CHIMANBHAI BHAGABHAI VASAVA**Versus****STATE OF GUJARAT & 6 others**

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Appearance:

MR APURVA R KAPADIA(5012) for the Petitioner(s) No. 1

MR. K.M. ANTANI, AGP (99) for the Respondent(s) No. 1

MR DHIRENDRA MEHTA(458) for the Respondent(s) No. 5,6

MR SHAIVANG D MEHTA(5623) for the Respondent(s) No. 5,6

NOTICE SERVED BY DS(5) for the Respondent(s) No. 1,2,3,4

UNSERVED EXPIRED (N)(9) for the Respondent(s) No. 7

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CORAM: HONOURABLE MR. JUSTICE BHARGAV D. KARIA**Date : 05/02/2021****ORAL ORDER**

Heard learned advocate Mr. Apurva R. Kapadia for the petitioner, learned advocate Mr. Dhirendra Mehta for the respondents and learned AGP Mr. K.M. Antani for the respondent – State through video conference.

Order in Civil Application :

This is an application for joining legal heirs of respondent no.6 – Bhudarbhai Kanthalbhai Vasava, who expired on 2nd December, 2017 during the pendency of the petition.

Learned advocate Mr. Kapadia submitted that the petitioner was informed about the sad demise of the respondent no.6 by letter dated 5th March, 2020 addressed to him by the learned advocate Mr. Dharendra Mehta. He therefore, prays that the delay of 1429 days caused in filing this application be condoned.

Considering the averments made in the application, the delay of 1429 days caused in filing the Civil Application is condoned and the opponent nos.6/1 to 6/6 are ordered to be joined as respondent nos.6/1 to 6/6 in the Special Civil Application. Cause title be amended accordingly. Civil Application is accordingly disposed of.

Order in Special Civil Application :

Issue **Notice** returnable on **8th March, 2021** to respondent nos.6/1 to 6/6, who are joined as legal heirs of the respondent no.6 by order of even date.

Learned advocate Mr. Kapadia seeks permission to delete respondent no.7.

Permission is granted. The respondent no.7 is ordered to be deleted.

Registry is directed to provide a copy of writ of this order to the learned advocate for the petitioners through e-mail so as to enable him to serve the same upon the respondents. ***Direct service is permitted.***

(BHARGAV D. KARIA, J.)

AMAR RATHOD...