

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SECOND APPEAL NO. 409 of 2026**

With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2026
In R/SECOND APPEAL NO. 409 of 2026

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MISTRI IRFAN ABDULBHAI

Versus

PRAVIN DAYARAM PUJARA

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Appearance:

MR AMAN A SAMA(11691) for the Appellant(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE MAULIK J.SHELAT

Date : 17/07/2026

ORAL ORDER

1. Heard Mr.Aman Sama, learned advocate for the appellant.

2. At the outset, Mr.Sama, learned advocate for the appellant, under the instruction of his client, does not invite reasons in this appeal and would request this Court that the appellant is residing in the suit premises since the year 2014, a breathing time of around one year may be granted to appellant to vacate the suit premises.

2.1 Mr.Sama, learned advocate, under the instructions of his client, is ready to pay costs to call the respondent for amicable settlement in the matter.

2.2 Mr.Sama, learned advocate would lastly submit, under the instructions, that appellant is facing possession warrant which has already been issued by the Executing Court which may be stayed for some time.

3. Having heard learned advocate Mr.Sama for the appellant and having considered the request of the appellant that he will vacate the suit premises within a year from today, just to explore the possibilities of settlement and / or any time which may be fixed by the Court for vacation of the suit premises by the appellant, issue **Notice** making it returnable on **11.08.2026**, subject to appellant deposits sum of Rs.15,000/- with the Registry of this Court as probable the costs for calling the respondent on or before 31.07.2026, failing which the appeal would stand dismissed. In the meantime, possession warrant issued by the Executing Court in the matter is remained under suspension. It is open for the respondent to withdraw the aforesaid amount of costs upon entering his appearance through lawyer or in person. Matter to be listed on the top of the Board. Direct service is permitted.

MISHRA AMIT V.

(MAULIK J.SHELAT,J)