

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 9501 of 2026**

=====

HARISHBHAI NARENDRABHAI RAVAL

Versus

MAULINBHAI JAWAHARLAL MEHTA

=====

Appearance:

MR. HJ KARATHIYA with MR. MAHAMMD SUFIYAN M SINDHI(10216) for
the Petitioner(s) No. 1

MR. MUKESH H JANI(13978) for the Respondent(s) No. 1

=====

CORAM: **HONOURABLE MR. JUSTICE MAULIK J.SHELAT****Date : 18/08/2026****ORAL ORDER**

1. Heard learned advocate Mr. H. J. Karathiya with Mr. Mahammd Sufiyan Sindhi, learned advocate appearing for the petitioner and learned advocate Mr. Mukesh H. Jani appearing for the respondent no.1.

2. After arguing for some time, under the instruction of his client, Mr. Karathiya, learned advocate does not press this petition. Nonetheless, learned advocate Mr. Karathiya would request this Court that rights and contentions of the petitioner may be kept open and the appellate Court may be directed to decide the appeal on its own merit without being influenced by its observation made in the impugned order.

3. Per contra, learned advocate Mr. Jani for the respondent has no objection in this regard.

4. At the same time, learned advocate Mr. Jani would submit that the respondent will be permitted to file an application for disbursement of the amount which may be deposited by the petitioner.

5. To this submission, learned advocate Mr. Karathiya would submit that petitioner will be permitted to oppose such prayer, and appellate Court may be directed to decide such application independently without being influenced by the order impugned in this petition.

6. Having heard learned counsels for respective parties and since the petitioner is not inviting any reasoned order in this matter, permission as prayed for is granted.

7. It is observed that the rights and contentions of the respective parties are kept open which shall be decided by the appellate Court in accordance with law while deciding the Regular Civil Appeal No.21 of 2026. It is needless to say that appellate Court shall have to examine the merits of the appeal without being influenced by its observation so made in the

impugned order.

8. In a case where the respondent will file any application seeking disbursement of the amount which may be deposited by petitioner, at that stage, after giving an opportunity of hearing to all parties concerned including petitioner, the appellate Court shall decide such application independently without being influenced by the order impugned in this petition.

9. It is open for the parties to request for expeditious hearing of the appeal, as and when such request may be made, same may be considered sympathetically by appellate Court as respondent is senior citizen.

10. In view of the above, the present petition is disposed of as not pressed.

DEEPAK GEHLOT

(MAULIK J.SHELAT,J)