

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SECOND APPEAL NO. 214 of 2005****With****CIVIL APPLICATION (FOR SET ASIDE ABATEMENT) NO. 1 of 2023
In R/SECOND APPEAL NO. 214 of 2005****With****CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 2 of 2023
In R/SECOND APPEAL NO. 214 of 2005****With****CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 3 of 2023
In CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 2 of 2023
In R/SECOND APPEAL NO. 214 of 2005**=====
MANGUDIABHAI BHIKHLABHAI PATEL & ORS.**Versus****PARSHOTTAMBHAI NEVABHAI PATEL & ORS.**
=====**Appearance:****DECEASED LITIGANT THROUGH LEGAL HEIRS/ REPRESENTATIVES
for the Appellant(s) No. 2****MR SHAIVANG D MEHTA(5623) for the Appellant(s) No.
2.1,2.2,2.3,2.4,2.5,2.6,2.7,2.8****UNSERVED EXPIRED (N) for the Appellant(s) No. 1****MR UTPAL M PANCHAL(1075) for the Respondent(s) No.
1,2,3,4,5,6.1,6.2,6.3,7**
=====**CORAM: HONOURABLE MR. JUSTICE J. C. DOSHI****Date : 21/01/2026****ORAL ORDER**

Learned advocate appearing for the respondents submitted that he has already filed his vakalatnama in one of the Civil Applications and is in the process of filing the vakalatnama in the remaining Civil Application. It was further submitted, in all fairness, that the respondents have no objection to the reliefs prayed for in the Civil Applications.

Having regard to the factual matrix and the submissions advanced, and considering that the right to sue survives, all the three

Civil Applications are allowed. The abatement is hereby set aside, the delay stands condoned, and the legal heirs of the deceased respondents are permitted to be brought on record. Necessary amendments shall be carried out forthwith.

Stand over to 28.01.2026.

MANISH MISHRA

(J. C. DOSHI,J)