

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SECOND APPEAL NO. 491 of 2025**

With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2025
In R/SECOND APPEAL NO. 491 of 2025

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DEPUTY ENGINEER DAKSHIN GUJARAT VIJ COMPANY LIMITED & ORS.
Versus
NIMISHABEN P. PATEL

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Appearance:

MR CHINMAY M GANDHI(3979) for the Appellant(s) No. 1,2,3
MS RUMI M GANDHI(3472) for the Appellant(s) No. 1,2,3
KRUPABEN S LIMBACHIYA(7851) for the Respondent(s) No. 1
MS TARJANI K ANJARIA(12193) for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE DEVAN M. DESAI**Date : 29/04/2026****ORAL ORDER****Order in Civil Application**

1. Heard learned advocate Mr. Chinmay M Gandhi for the applicants and learned advocate Ms. Krupaben S Limbachiya for the respondent.

2. Learned advocate for the respondent submits that she has to take instructions so far as present civil application is concerned.

3. Having considered the submissions canvassed by learned advocate for the applicants, it appears that the applicants are

ready and willing to deposit the entire decretal amount before the learned Executing Court. Upon such submission being made by learned advocate for the applicants, time is granted up to six weeks to deposit the entire decretal amount before the learned Executing Court.

3.1. Upon depositing the decretal amount, the proceedings of execution shall be stayed. If the decretal amount is not deposited within a period of six weeks, the protection which has been granted by this Court shall automatically be revoked. On depositing the decretal amount, the applicants shall not be permitted to withdraw the amount and the decretal amount may be invested in a Fixed Deposit in any Nationalised Bank in cumulative Scheme in the name of Registrar, District Legal Services Authority, Bharuch.

4. Moreover, if original plaintiffs want to withdraw the amount, a bank guarantee shall be submitted before the learned Executing Court. The plaintiff shall thereafter be

permitted to withdraw the amount to the extent of decretal amount.

5. Civil Application is disposed of accordingly.

(D. M. DESAI,J)

SHIVANI SHUKLA

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: SHIVANI SHUKLA(HC02350), ENGLISH STENO GRADE-II, at High Court of Gujarat on 01/05/2026 18:07:02