

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/FIRST APPEAL NO. 2238 of 2012
With
CIVIL APPLICATION (FOR MODIFICATION OF ORDER) NO. 1 of 2017
In R/FIRST APPEAL NO. 2238 of 2012
With
CIVIL APPLICATION (FOR JOINING PARTY) NO. 1 of 2020
In R/FIRST APPEAL NO. 2238 of 2012
With
CIVIL APPLICATION (FOR JOINING PARTY) NO. 1 of 2021
In R/FIRST APPEAL NO. 2238 of 2012
With
CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 1 of 2022
In R/FIRST APPEAL NO. 2238 of 2012
With
CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 1 of 2023
In R/FIRST APPEAL NO. 2238 of 2012
With
CIVIL APPLICATION (FOR DIRECTION) NO. 1 of 2024
In R/FIRST APPEAL NO. 2238 of 2012
With
CIVIL APPLICATION NO. 2 of 2013
In R/FIRST APPEAL NO. 2238 of 2012
With
CIVIL APPLICATION (FOR ORDERS) NO. 2 of 2024
In R/FIRST APPEAL NO. 2238 of 2012
With
CIVIL APPLICATION (FOR JOINING PARTY) NO. 3 of 2024
In R/FIRST APPEAL NO. 2238 of 2012
With
R/FIRST APPEAL NO. 2239 of 2012
With
CIVIL APPLICATION NO. 1 of 2013
In R/FIRST APPEAL NO. 2239 of 2012
With
CIVIL APPLICATION (FOR MODIFICATION OF ORDER) NO. 1 of 2017
In R/FIRST APPEAL NO. 2239 of 2012
With
CIVIL APPLICATION (FOR JOINING PARTY) NO. 1 of 2020
In R/FIRST APPEAL NO. 2239 of 2012
With
CIVIL APPLICATION (FOR JOINING PARTY) NO. 1 of 2021
In R/FIRST APPEAL NO. 2239 of 2012
With
CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 1 of 2022

In R/FIRST APPEAL NO. 2239 of 2012
With
CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 1 of 2023
In R/FIRST APPEAL NO. 2239 of 2012
With
CIVIL APPLICATION (DIRECTION) NO. 1 of 2024
In R/FIRST APPEAL NO. 2239 of 2012
With
CIVIL APPLICATION (FOR ORDERS) NO. 2 of 2024
In R/FIRST APPEAL NO. 2239 of 2012
With
R/LETTERS PATENT APPEAL NO. 2108 of 2009
In
R/SPECIAL CIVIL APPLICATION NO. 10235 of 1996
With
R/LETTERS PATENT APPEAL NO. 2111 of 2009
In
R/SPECIAL CIVIL APPLICATION NO. 13065 of 1994
With
CIVIL APPLICATION (FOR DIRECTION) NO. 1 of 2018
In R/LETTERS PATENT APPEAL NO. 2111 of 2009
In
R/SPECIAL CIVIL APPLICATION NO. 13065 of 1994
With
CIVIL APPLICATION (FOR JOINING PARTY) NO. 1 of 2019
In R/LETTERS PATENT APPEAL NO. 2111 of 2009
In
R/SPECIAL CIVIL APPLICATION NO. 13065 of 1994
With
CIVIL APPLICATION (FOR DIRECTION) NO. 2 of 2018
In R/LETTERS PATENT APPEAL NO. 2111 of 2009
In
R/SPECIAL CIVIL APPLICATION NO. 13065 of 1994
With
R/LETTERS PATENT APPEAL NO. 2004 of 2009
In
R/SPECIAL CIVIL APPLICATION NO. 5174 of 1996
With
R/SPECIAL CIVIL APPLICATION NO. 11541 of 2018
With
R/SPECIAL CIVIL APPLICATION NO. 11916 of 2018
With
CIVIL APPLICATION (FOR JOINING PARTY) NO. 1 of 2021
In R/SPECIAL CIVIL APPLICATION NO. 11916 of 2018
With
R/SPECIAL CIVIL APPLICATION NO. 12099 of 2017
With

**CIVIL APPLICATION (FOR DIRECTION) NO. 1 of 2022
In R/SPECIAL CIVIL APPLICATION NO. 12099 of 2017**

NAKULAN S PANIKER

Versus

KANTILAL AMBALAL PATEL SINCE DECEASED THROUGH HIS LEGAL
HEIRS & ORS.

Appearance:

MR TATTVAM K PATEL(5455) for the Appellant(s) No. 1
for the Defendant(s) No. 1.3

ADITYA A GUPTA(7875) for the Defendant(s) No. 1.2

M/S.VYAS ASSOCIATES(1559) for the Defendant(s) No. 1.1,1.3,1.4

MR ASHISH B DESAI(5163) for the Defendant(s) No. 1,2

MR DA SANKHESARA(5955) for the Defendant(s) No. 1.1,1.3,1.4

MR HIMANSHU C DESAI(6832) for the Defendant(s) No. 1.1,1.2

MR PRUTHVIRAJ SINH D PARMAR(9934) for the Defendant(s) No. 5

MR SHIVANG J SHUKLA(2515) for the Defendant(s) No. 4

CORAM:**HONOURABLE MS. JUSTICE SANGEETA K. VISHEN**
and
HONOURABLE MS. JUSTICE NISHA M. THAKORE

Date : 05/04/2024

ORAL ORDER

(PER : HONOURABLE MS. JUSTICE SANGEETA K. VISHEN)

Order in First Appeal No. 2238 of 2012 with Civil Application Nos. 1 of 2017, 1 of 2020, 1 of 2021, 1 of 2022, 1 of 2023, 1 of 2024, 2 of 2013, 2 of 2024, 3 of 2024 with First Appeal no. 2239 of 2012 with Civil Application Nos. 1 of 2013, 1 of 2017, 1 of 2020, 1 of 2021, 1 of 2022, 1 of 2023, 1 of 2024, 2 of 2024 with Special Civil Application No. 11541 of 2018 with Special Civil Application No. 11916 of 2018 with Civil Application No. 1 of 2021 with Special Civil Application No. 12099 of 2017 with Civil Application No. 1 of 2022.

List the matter on 18.04.2024.

Order in Letters Patent Appeal No. 2108 of 2009 with Letters Patent Appeal No. 2111 of 2009 with Civil Application Nos. 1 of 2018, 1 of 2019, 2 of 2018 with Letters Patent Appeal No. 2004 of 2009

Heard Ms. Manisha Lavkumar Shah, learned Additional Advocate General with Mr. Aakash Gupta, learned Assistant Government Pleader and Mr. Siddharth Rami, learned Assistant Government Pleader for the appellant and Mr.Mihir Thakore, learned Senior Counsel assisted by Mr.Salil Thakore, learned Advocate and Mr.Hemang Shah, learned Advocate for respondent nos. 1.1 to 1.6, Mr. Shalin Mehta, learned Senior Counsel assisted by Mr.DA Sankhesara, learned Advocate for respondent nos. 2.1, 2.3 and 2.4, Mr.Mehul Shah, learned Senior Counsel assisted by Mr.Aditya Gupta, learned Advocate for respondent no. 2.2, Mr.Mihir Joshi, learned Senior Counsel assisted by Mr.Tattvam Patel, learned Advocate for respondent no. 4.

Arguments are concluded.

(SANGEETA K. VISHEN,J)

(NISHA M. THAKORE,J)

SINDHU NAIR