

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 9363 of 2026**

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NITINBHAIGHANSHYAMBHAI MEHTA & ANR.

Versus

VIJAY CO-OPERATIVE BANK LTD

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Appearance:

MR BM MANGUKIYA(437) for the Petitioner(s) No. 1,2

MS BELA A PRAJAPATI(1946) for the Petitioner(s) No. 1,2

MS ROOPAL R PATEL(1360) for the Respondent(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI**Date : 10/07/2026****ORAL ORDER**

1. Heard learned Counsel Mr. B M Mangukiya for the petitioners and learned Counsel Ms. Roopal Patel for the respondent no.1.

2. At the outset, learned Counsel for the petitioners seeks permission to amend the petition. The said permission is granted. The petition be amended forthwith.

3. The grievance of the petitioners is that as the petitioners failed to remain present before the Court of 5th Additional Senior Civil Judge/ACJM, Navrangpura, Ahmedabad for Regular Execution Petition No.1159 of 2022, on 10.06.2026, the arrest warrant was issued against the petitioner. When the petitioners tried to appear before the concerned Court, the concerned Court did not allow the petitioners to appear and stated that go before the Hon'ble High Court and take the order and therefore, the petitioners has preferred the present petition.

4. Learned Advocate for the petitioner, under instructions, stated that the petitioners are ready and willing to appear before the Court of 5th Additional Senior Civil Judge/ACJM, Navrangpura, Ahmedabad on 14.07.2026.

5. Hence, the petitioners shall appear before the concerned Court on 14.07.2026. The petitioners shall also file an additional affidavit before this Court as well as before the concerned Court to the effect that the petitioners shall continue to appear before the said Court on all subsequent dates either in person whenever required or through his advocate and whenever the petitioners presence is required and they are not in a position to appear before on account of any difficulty, an application for exemption shall be filed, which would be considered on its own merits.

6. In view of the above statement, subject to condition of filing identical undertaking before this Court as well as before the Concerned Court on or before 14.07.2026, the impugned arrest warrant dated 10.06.2026 is hereby stayed.

7. Issue **notice**, returnable on **17.07.2026**. Learned Advocate Ms. Roopal Patel waives service of notice for respondent no.1. Learned AGP Mr. Nikunj Kanara waives service of notice for respondent no.2.

(NIRZAR S. DESAI,J)

Anuj