

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/APPEAL FROM ORDER NO. 148 of 2021**

With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2021
In R/APPEAL FROM ORDER NO. 148 of 2021

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MAHENDRA BABABHAI PATEL

Versus

ROMIL PANKAJBHAI PATEL & ORS.

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Appearance:

MR RJ GOSWAMI(1102) for the Appellant(s) No. 1

SIDDHARTH R KHESKANI(9483) for the Appellant(s) No. 1

AADITYA D BHATT(8580) for the Respondent(s) No. 1

CHANDNI S JOSHI(9490) for the Respondent(s) No. 1

RULE SERVED for the Respondent(s) No. 3,4,5,6,7

RULE UNSERVED for the Respondent(s) No. 2

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CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL

and

HONOURABLE MR. JUSTICE PRANAV TRIVEDI

Date : 24/07/2024

ORAL ORDER

(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA AGARWAL)

The office report indicates that the notice in the appeal sent to the defendant No.2 remained unserved with the remarks that 'house was locked'.

2. The learned advocate for the appellant would submit that the respondent No.2 has avoided the notice through the ordinary post, though the address given in the memorandum of the appeal is correct.

3. Let the Notice be sent to the underserved respondent through the Registered A.D.Post, returnable on 27.08.2024.
4. In addition to the above, on the request made by the learned counsel for the appellant, the respondent No.2 may be served directly i.e. through the personal mode.
5. The affidavit of the service shall be filed on the next date.

(SUNITA AGARWAL, CJ)

(PRANAV TRIVEDI,J)

C.M. JOSHI