

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CIVIL REVISION APPLICATION NO. 517 of 2022

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INDRASEN DEVENDRA PASALE

Versus

DECD ISMAILBHAI VALIBHAI PATEL THROUGH LHR

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Appearance:

MR CHIRAG B PATEL(3679) for the Applicant(s) No. 1,2
for the Opponent(s) No. 1,1.1,2,2.1,2.2,2.3,2.4

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CORAM:**HONOURABLE MR. JUSTICE A.S. SUPEHIA**

Date : 01/09/2022

ORAL ORDER

Notice returnable on **29.09.2022.**

Learned advocate Mr.Patel has submitted that the impugned order is passed without considering the fact that Regular Civil Suit No.143 of 2011 for securing right of the opponent No.1 in the ancestral property has been withdrawn unconditionally and, therefore, opponent No.1 has relinquished her all rights of suit, which is a result of Special Civil Suit No.268 of 2021 hence, the impugned order is a result of overlooking the provisions of Order II, Rule 2 of Code of Civil Procedure, 1908.

Till the next date of hearing, there shall be interim relief in terms of paragraph No.8(B).

Sd/-

(A. S. SUPEHIA, J)

NVMEWADA