

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 7026 of 2017**

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KIRANBHAI MAFABHAI DESAI & ORS.

Versus

STATE OF GUJARAT & ANR.

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Appearance:

HARSH V GAJJAR(7828) for the Applicant(s) No. 1,2,3,4,5,6,7

MR ANIL C THAKORE(2324) for the Respondent(s) No. 2

MR.KANDARP D ACHARYA(2623) for the Respondent(s) No. 2

PUBLIC PROSECUTOR for the Respondent(s) No. 1

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CORAM:ADDITIONAL REGISTRAR (JUDICIAL)**Date : 10/07/2025****ORAL ORDER**

1. Heard learned Advocate Mr. H. V. Gajjar appearing for the Applicant Nos. 1 to 7.
2. Perused the withdrawal of appearance note dated 02.07.2025 filed by learned advocate Mr. H. V. Gajjar addressed to the office and perused the office note dated 03.07.2025 pertaining to the same.
3. The learned advocate for the Applicant Nos. 1 to 7 has submitted the withdrawal of appearance addressed to this office dated 02.07.2025 for deleting his name from the cause title of the captioned matter/s. The aforesaid withdrawal of appearance note is annexed with a copy of communication dated 13.06.2025 addressed to the Applicant Nos. 1 to 7 along with postal slip and a copy of online status report of postal department. Those documents, prima facie, shows that the learned Advocate has duly intimated to the the Applicant Nos. 1 to 6 through aforesaid

communication. It is also averred that the communication sent to the Applicant No. 7 has returned back unserved as 'Insufficient Address'.

4. The Applicant No. 7 is duty bound to submit his new address either to his learned advocate or on the record of the Court for due service of notice to him. It, prima facie, transpires that the learned advocate has performed his part of duty to make due attempts for service of communication dated 13.06.2025 to the Applicant No. 7. Now, it is the turn of the Applicant No. 7 to furnish the new address on record. It, prima facie, appears that the learned advocate has tried his best for due service of communication to his client i.e. the Applicant No. 7 through RPAD in compliance of Rule 133 of the Gujarat High Court Rules, 1993 on the address available on record.
5. In view of the aforesaid averments and on perusal of the record, the withdrawal of appearance filed by learned advocate Mr. H. V. Gajjar dated 02.07.2025 and the office note dated 03.07.2025 pertaining to the same are accepted herewith and disposed of accordingly. The office is directed to remove the name of learned advocate Mr. H. V. Gajjar as an advocate of the Applicant Nos. 1 to 7 from the cause title of the captioned matter/s at the earliest. The office is further directed to issue Advocate Notice to the Applicant Nos. 1 to 7 returnable on **21.08.2025**, to be served through the concerned Police Station.

(M. B. RATHORE)
ADDITIONAL REGISTRAR (JUDICIAL)

RB DESAI