

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/LETTERS PATENT APPEAL NO. 1077 of 2021
In R/SPECIAL CIVIL APPLICATION NO. 10925 of 2015
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2021
In R/LETTERS PATENT APPEAL NO. 1077 of 2021

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KANDLA PORT TRUST (NOW DEENDAYAL PORT TRUST)

Versus

SANJAY JAGDISHBHAI BHATY

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Appearance:

M/S.VYAS ASSOCIATES(1559) for the Appellant(s) No. 1

ADVOCATE NOTICE SERVED for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE A.S. SUPEHIA

and

HONOURABLE MS. JUSTICE GITA GOPI

Date : 30/04/2025

ORAL ORDER

(PER : HONOURABLE MR. JUSTICE A.S. SUPEHIA)

1. Registry has placed a communication dated 24.04.2025 of Shri Sanjay J. Bhaty intimating that he has been permitted by the Division Bench of this Court to appear as a party-in-person to contest the appeal however, due to illness of his wife, he would not be appearing on the next date of hearing i.e. today, 30.04.2025.

2. In the order dated 18.03.2025, we had only recorded his request that he would be either appearing as a party-in-person or engage any advocate from the Legal Aid authority. It is pertinent to note that for appearing as a party-in-person, as per the provisions of Rule 31A of

the Gujarat High Court Rules, 1993, he has to obtain "Competency Certificate" from the Registry. We do not find that he has obtained such certificate.

3. Thus, in order to actually represent himself in the present proceedings as a party-in-person, Shri Sanjay J. Bhaty has to obtain Competency Certificate and only after such certificate is obtained, he will be permitted to appear in the matter. Thus, we direct Shri Sanjay J. Bhaty to either obtain Competency Certificate from the Registry or to engage any advocate. In case, Shri Sanjay J. Bhaty is unable to do so by the next date of hearing, this Court will proceed in the matter and pass appropriate order, after hearing learned advocates appearing for the appellant.

4. Registry shall communicate the present order to Shri Sanjay J. Bhaty either through an e-mail or at the address mentioned in the cause title of the present appeal.

5. The matters are kept on **26.06.2025**.

Sd/-
(A. S. SUPEHIA, J)

Sd/-
(GITA GOPI, J)

NVMEWADA/35