

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 3461 of 2024**

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M/S RAMANUJ DEVELOPERS & ANR.
Versus
HEIRS AND LR OF DECEASED BAI PARVATIBEN D/O AMTHA LALVABHAI
AND W/O GULABBHAI RANCHHODBHAI & ORS.

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Appearance:

MR ARPIT A KAPADIA(3974) for the Appellant(s) No. 1,2
DECEASED LITIGANT for the Defendant(s) No. 1
M/S.VYAS ASSOCIATES(1559) for the Defendant(s) No. 1.1
MR. SHALIN J PATEL(14556) for the Defendant(s) No. 1.1
NOTICE SERVED for the Defendant(s) No. 1.2,1.3,1.4,2,4,5
NOTICE UNSERVED for the Defendant(s) No. 6,7,8
UNSERVED EXPIRED (N) for the Defendant(s) No. 1.5,3

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CORAM: HONOURABLE MS. JUSTICE SANGEETA K. VISHEN
and
HONOURABLE MR. JUSTICE NIRAL R. MEHTA

Date : 25/02/2025**ORAL ORDER****(PER : HONOURABLE MS. JUSTICE SANGEETA K. VISHEN)**

[1] Mr. Arpit Kapadia, learned advocate for the appellants has tendered the draft amendment. Amendment is allowed in terms of the draft. The same shall be carried out forthwith.

[2] Once the amendment is carried out, let there be a fresh Notice to the respondents Nos.6 to 8, returnable on 9th April 2025.

[3] Over and above the normal mode of service, service of Notice, through Speed Post, is also permitted.

[4] So far as respondent No.1.5 is concerned, Mr. Arpit Kapadia, learned advocate for the appellants submitted that he has expired, however, respondents Nos.1.1 to 1.4 – heirs of respondent No.1.5 – Gulabhai Ranchhodbhai Kanthariya are already on record and hence, no step is required to be taken. Hence, respondent No.1.5 shall be represented by respondents Nos.1.1 to 1.4.

[5] So far as respondent No.3 is concerned, it is submitted that he has also passed away, however, respondents Nos.4 and 5 are his heirs and already on record of the captioned appeal. Similarly, respondent No.3 shall be represented by respondents Nos.4 and 5.

[6] List the matter on 9th April 2025. Interim relief granted earlier to continue till then.

(SANGEETA K. VISHEN,J)

(NIRAL R. MEHTA,J)

CHANDRESH