

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SECOND APPEAL NO. 550 of 2023****With****CIVIL APPLICATION (FOR STAY) NO. 1 of 2023****In****R/SECOND APPEAL NO. 550 of 2023**

=====

SHANTILAL DALSUKHBHAI VASAVA

Versus

HANSABEN MANUBHAI PATEL

=====

Appearance:

MR APURVA R KAPADIA(5012) for the Appellant(s) No. 1

for the Respondent(s) No. 1,2,3,4

=====

CORAM: **HONOURABLE MS. JUSTICE GITA GOPI****Date : 27/10/2023****COMMON ORAL ORDER**

1. Heard learned Advocate for the appellant / applicant Mr. A.R. Kapadia has referred to the facts of the case and stated that there was an oral agreement between the husband of plaintiff No.2 and the father of the plaintiff No.1 from the original owner on a consideration of Rs.3,000/-, which was confirmed by way of a receipt issued on receiving the same. Further the said document were given to the defendant/s for change of name.

2. Learned Advocate Mr. A.R. Kapadia further submitted that continuously revenue of the land was paid by the plaintiffs and two of the witnesses – Kalidasbhai Limjibhai Vasava and Babubhai Arvindbhai Vasava, one of them has supported the case of 42 years of possession and another of 30 years of possession of the plaintiff/s. It is further submitted that the possession is protected by an order of the learned Appellate Judge at Exhibit 42 on 30.09.2023 for a period of 30 days.
3. Thus, in view of the above, **NOTICE** returnable on **DECEMBER 11, 2023**. Till the next returnable date, the respondent/s are restrained from interfering with the possession of the appellant/s.
Direct Service is permitted.

CAROLINE

Sd/-
(GITA GOPI, J)