

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 4816 of 2023**

With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In R/FIRST APPEAL NO. 4816 of 2023

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RAJANGIRI KISHORGIRI GOSWAMI

Versus

HIRABHAI DHARAMSHIBHAI

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Appearance:

SHRINEEL M SHAH(9374) for the Appellant(s) No. 1

for the Defendant(s) No.

1,10,11,12,13,14,15,16,17,18,19,2,20,21,22,23,24,25,26,27,28,29,3,30,31,32,
33,34,35,36,37,38,39,4,40,41,42,43,44,45,46,47,48,49,5,50,51,6,7,8,9

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CORAM: HONOURABLE MR. JUSTICE DEVAN M. DESAI

Date : 10/11/2023

ORAL ORDER

1. Learned advocate for the appellant has tendered paper book. The same is taken on record.

2. Heard learned senior counsel Mr. Anshin Desai assisted by learned advocate Mr. S. M. Shah for the appellant.

3. Learned senior counsel has submitted that the order below Exhibit-5 dated 28.04.2009, whereby the Injunction Application Exhibit-5 was allowed qua the land admeasuring 1500 square meters, and thereafter, the said order was

continued vide order dated 24.08.2023 passed in Special Civil Suit No.254 of 2001. The said order was in force till the impugned judgment and decree passed on 23.08.2023. Therefore, he prays that the said order may be continued.

4. Having considered the submissions and issues involved in the present appeal, issue Notice returnable on 18.12.2023.

4.1 The protection which was granted by the learned trial Court vide its order dated 28.04.2009 and order dated 24.08.2023 shall continue.

MANOJ

(D. M. DESAI,J)