

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SECOND APPEAL NO. 475 of 2024
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2024
In
R/SECOND APPEAL NO. 475 of 2024

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SHARADKUMAR GIRDHARLAL KOTAK & ORS.
Versus
JENUBEN BAUDIN SUMRA & ORS.

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Appearance:

GANDHI LAW ASSOCIATES(12275) for the Appellant(s) No.
1,2,2.1,2.2,2.3,2.4,2.5,2.6,3,3.1,3.2,3.3,3.4
MR. ZALAK B PIPALIA(6161) for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE SANJEEV J. THAKER

Date : 09/01/2025

ORAL ORDER

1. Heard learned advocate Mr. Nisarg Desai for Gandhi Law Associates for the appellant. There is a note filed by learned advocate Mr. Zalak B. Pipaliya to delete his name from the cause list. Registry is directed to delete the name of learned advocate Mr. Zalak B. Pipaliya from the cause list.

2. Learned advocate Mr. Desai has today brought to the notice of the Court by producing the photograph showing that even after the interim relief granted by the Court in the present proceedings, third party rights are still being created in the premises. By an earlier order dated 26.11.2024, coordinate bench has granted relief in terms of para-9(b) and directed both the parties to maintain status quo till the returnable date and the said interim relief is extended till today.

3. Looking to the development and the fact that the said fact was also brought to the notice of the coordinate bench on 24.11.2024 thereafter also third party rights are created in the premises, it is required that both the parties to the present proceedings, maintain status quo with respect to the premises in question and both the parties shall not enter into any agreement thereby creating third party rights in the premises.

4. Looking to the fact that learned advocate Mr. Zalak B. Pipaliya has moved a note to delete his name, learned advocate Mr. Desai has submitted that looking to the urgency of the matter, the matter be heard at the earliest.

5. Fresh **Notice** to the respondent making it returnable on **12th February, 2025**. In the meantime, relief in terms of paragraph 9(B) is granted till the next date of hearing and no third party rights to be created in the premises till the next date.

6. Learned advocate for the appellants is permitted to produce the photograph before the Registry.

(SANJEEV J.THAKER,J)