

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/FIRST APPEAL NO. 4830 of 2022

With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2022
In R/FIRST APPEAL NO. 4830 of 2022

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DEEPANKIT TRADING CO

Versus

DEEP PNEUMATICS PVT LTD

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Appearance:

MS ARCHANA P PATEL(5430) for the Appellant(s) No. 1,2

for the Defendant(s) No. 2

MR SANJAY MEHTA FOR MR N R MEHTA(7794) for the Defendant(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE NIKHIL S. KARIEL

Date : 23/03/2023

ORAL ORDER

FIRST APPEAL

Heard learned Advocate Ms. Archana P Patel on behalf of the appellants and learned Advocate Mr. Sanjay Mehta with learned Advocate Mr. N.R. Mehta on behalf of respondent no.1 on caveat.

Admit. Learned Advocate Mr. Mehta waives service of notice of admission on behalf of the respondent no.1.

CIVIL APPLICATION

Heard learned Advocate Ms. Archana P Patel on behalf of the applicants and learned Advocate Mr. Sanjay Mehta for learned Advocate Mr. N.R. Mehta on behalf of respondent no.1 on caveat.

Issue **Notice** to the respondents returnable on **13.04.2023**. Learned

Advocate Mr. Mehta waives service of notice on behalf of respondent no.1. Direct service for respondent no.2 is permitted.

Considering the submissions of learned Advocates for the parties, it would appear that the present appellant, though stated to be trespasser on the property, have been using their shops/go downs at GIDC, Naroda from atleast the year 2010 and whereas it would also appear that the GIDC, which prima facie according to this Court would have been a proper and necessary party was permitted to be deleted from the civil suit at their own request, resulting in the fact of entry of the present appellants in the property in question being disputed, therefore as an interim measure, let status quo be maintained by all parties concerned as regards the suit property till the returnable date.

NIRU

(NIKHIL S. KARIEL,J)