

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SECOND APPEAL NO. 474 of 2025****With****CIVIL APPLICATION (FOR STAY) NO. 1 of 2025****In R/SECOND APPEAL NO. 474 of 2025****With****CIVIL APPLICATION (FOR AMENDMENT) NO. 1 of 2026****In CIVIL APPLICATION (FOR STAY) NO. 1 of 2025****In R/SECOND APPEAL NO. 474 of 2025**

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**PATEL BABABHAI GOVABHAI SINCE DECEASED THROUGH LHRS &
ORS.**

Versus**SHARDABEN WD/O PATEL BALDEVBHAI GOVABHAI & ORS.**

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Appearance:

MR DAKSHESH MEHTA(2430) for the Appellant(s) No.**1,1.1,1.2,1.3,1.4,1.5,2.2.1,2.2,2.3,2.4,2.5****MR. RUSHANG D MEHTA(6989) for the Appellant(s) No.****1,1.1,1.2,1.3,1.4,1.5,2.2.1,2.2,2.3,2.4,2.5****MR GAURANG K PATEL(2613) for the Respondent(s) No. 1,2,3**

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CORAM: HONOURABLE MR. JUSTICE DEVAN M. DESAI

Date : 02/04/2026**ORAL ORDER**

1. During the course of hearing, learned advocate Mr. Gaurang K Patel for the respondents submitted that the possession of the suit land being taken over by plaintiffs, pursuant to the order passed in Regular Execution No. 20 of 2023, and the judgment and decree dated 15.03.2023 of the learned Trial court has been satisfied. Learned advocate has also placed on record a copy of order passed in Regular

Execution No. 20 of 2023. The same is taken on record.

2. At this stage, learned advocate for the appellants submits that the appellants be permitted to cut the crop which is standing on the suit land and for that limited purpose, the appellants be permitted to enter in the suit land and cut the crop which is standing as on today. The question with regard to granting permission to the judgment debtor - present appellants to enter in the suit land and permitting them to cut the crop and to liquidate the same can be entertained on a condition that the appellants shall file an undertaking before this Court declaring their intention to permit them to enter in the suit land and to cut the crop which is standing on the suit land.

3. The undertaking shall be filed within a period of two weeks. On furnishing such undertaking, the appropriate order would be passed.

4. In view of above, issue Notice returnable on 15.06.2026.
Learned advocate Mr. Gaurang K Patel waives service of notice
on behalf of the respondents.

(D. M. DESAI,J)

SHIVANI SHUKLA