

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 22348 of 2019**

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BHOPABHAI BAVABHAI RABARI & ORS.

Versus

LEGAL HEIRS OF DECD. NARANABHAI JIVABHAI RABARI & ORS.

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Appearance:

MR SP MAJMUDAR(3456) for the Petitioner(s) No. 1,2,3,4,5

MR. HJ KARATHIYA(7012) for the Petitioner(s) No. 1,2,3,4,5

MR TUSHAR CHAUDHARY(5316) for the Respondent(s) No.

1,1.1,1.2,1.3,1.4,1.5.1,1.5.2,1.5.3,1.5.4,1.5.5,2.1,2.2,2.3,2.4,3,4

MR.DIPEN F CHAUDHARI(6740) for the Respondent(s) No.

1,1.1,1.2,1.3,1.4,1.5.1,1.5.2,1.5.3,1.5.4,1.5.5,2.1,2.2,2.3,2.4,3,4

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CORAM:HONOURABLE MR. JUSTICE MAULIK J.SHELAT

Date : 06/07/2026

ORAL ORDER

1. Heard Mr. S. P. Majmudar, learned advocate for the petitioners and Mr. Tushar Chaudhary, learned advocate for the respondents.
2. At the outset, Mr. Majmudar, learned advocate for the petitioners has shown their willingness to conduct this writ petition after some time but the anxiety of the learned advocate for the petitioners that the Appellate Court has practically heard the appeal and may pronounce the judgment.
3. This Court vide its order dated 17.12.2019 has passed the following order:

“Rule returnable on 4.2.2020.

Meanwhile no final order be passed if the Appeal is heard before the returnable date.

Notice as to interim relief returnable along with the Rule.”

4. Since this Court has already passed the order whereby the Appellate Court was directed not to pass the final order in the appeal, according to my view, until this petition is finally adjudicated by this Court, the Appellate Court is hereby directed not to proceed further with the Regular Civil Appeal No. 49 of 2019, pending before the 5th Additional District Judge, Deesa.

5. It is made clear to the Appellate Court that it should not pronounce final judgment and decree in the aforesaid appeal until any further order passed by this Court in this matter.

6. Registry is directed to send the writ of this order to the concerned Appellate Court.

7. Stand over to 27.07.2026.

(MAULIK J.SHELAT,J)

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