

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 4946 of 2023****With****CIVIL APPLICATION (FOR STAY) NO. 1 of 2023****In R/FIRST APPEAL NO. 4946 of 2023****THAKKAR (SAHAYATA) BHAILALBHAI JAYANTILAL****Versus****THAKKAR DARSHANKUMAR THAKARSHIBHAI****Appearance:****MS. KRUTI M SHAH(2428) for the Appellant(s) No. 1****for the Defendant(s) No. 3****NOTICE SERVED BY DS for the Defendant(s) No. 1****UNSERVED REFUSED (N) for the Defendant(s) No. 2,3.1,3.2,3.3,3.4,3.5****CORAM: HONOURABLE MR. JUSTICE ASHUTOSH SHASTRI****and****HONOURABLE MR. JUSTICE HEMANT M. PRACHCHHAK****Date : 21/12/2023****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE ASHUTOSH SHASTRI)**

When the matter is taken up for hearing, despite service of notice being effected, the defendants neither responded nor remained present and at this stage, learned advocate Ms. Kruti Shah has requested to stay the operation and implementation of the order dated 30.10.2023 passed in Special Civil Suit No. 7 of 2017, to the extent of condition No. 4.

In view of the fact that the respondents though

served have chosen not to appear, we deem it proper to grant *ad-interim relief* staying the implementation and operation of the order qua condition No.4.

In view of the above, by way of *ad-interim relief*, for time being, condition No. 4 of order dated 30.10.2023 passed in Special Civil Suit No. 7 of 2017 is hereby stayed till next date of hearing.

Relist the matter on **25.1.2024.**

(ASHUTOSH SHASTRI, J)

(HEMANT M. PRACHCHHAK, J)

SURESH SOLANKI