

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/FIRST APPEAL NO. 4206 of 2024****With****CIVIL APPLICATION (FOR STAY) NO. 1 of 2024****In R/FIRST APPEAL NO. 4206 of 2024**=====  
**VIJAYKUMAR DAYARAMDAS MAHANT****Versus****BACHUBHAI CHHOTUBHAI PATEL & ORS.**  
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Appearance:

MR ARPIT A KAPADIA(3974) for the Appellant(s) No. 1

BHAGIRATH N PATEL(9016) for the Defendant(s) No. 1,2,3,4,5  
=====**CORAM:HONOURABLE MS. JUSTICE NISHA M. THAKORE****Date : 16/12/2024****ORAL ORDER**

Learned senior counsel Mr. Kavina has appeared with Mr. Bhagirath N. Patel, learned advocate on record for the opponents and has submitted that copy of the additional affidavit is served today and he would like to respond. He therefore prays for an adjournment. Mr. Mehul Suresh Shah, learned senior counsel appearing with Mr. Arpit A. Kapadia, learned advocate on record for the appellant submitted that recently they have been served with notice dated 10.12.2024 issued by the Assistant Charity Commissioner, Navsari Division, Navsari, calling upon the appellant with regard to entry being made in the PTR as regards the appointment of the opponents as Trustees. It is

further pointed out that the hearing of such proceedings is fixed today. He, therefore, prays for appropriate directions to the Assistant Charity Commissioner to postpone the hearing since the appeal is pending consideration.

Considering the submissions of learned advocates for the respective parties, the appellant is permitted to seek an adjournment before the Assistant Charity Commissioner today. Let the present appeal be notified for admission hearing on 19.12.2024. The learned Assistant Charity Commissioner is directed to consider the request for adjournment.

Direct service is permitted.

**(NISHA M. THAKORE,J)**

MAYA