IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/APPEAL FROM ORDER NO. 176 of 2016
With
CIVIL APPLICATION (FOR JOINING PARTY) NO. 1 of 2017
In
R/APPEAL FROM ORDER NO. 176 of 2016

With

R/APPEAL FROM ORDER NO. 177 of 2016
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2017
In
R/APPEAL FROM ORDER NO. 177 of 2016

With

R/APPEAL FROM ORDER NO. 380 of 2016
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2016
In
R/APPEAL FROM ORDER NO. 380 of 2016
With
CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 1 of 2022
In
R/APPEAL FROM ORDER NO. 380 of 2016

With

R/APPEAL FROM ORDER NO. 381 of 2016
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2016
In
R/APPEAL FROM ORDER NO. 381 of 2016
With
CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 1 of 2022
In
R/APPEAL FROM ORDER NO. 381 of 2016

With

R/APPEAL FROM ORDER NO. 382 of 2016
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2016

In
R/APPEAL FROM ORDER NO. 382 of 2016
With
CIVIL APPLICATION (FOR BRINGING HEIRS) NO. 1 of 2022
In
R/APPEAL FROM ORDER NO. 382 of 2016

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MAHARANASHRI DIGVIJAYSINH PRATAPSINH ZALA & ORS.
Versus
SHRI RANJITSINH PRATAPSINH ZALA

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Appearance:

Appeal from Order No.176 of 2016 :
DECEASED LITIGANT for the Appellant(s) No. 1
MR NIKUNT K RAVAL, ADVOCATE for the Appellants No.1.1 & 1.2

MR MIHIR THAKORE, SENIOR ADVOCATE with
MR SALIL M THAKORE, ADVOCATE for the Respondents No. 1

Appeal from Order No.177 of 2016 :
DECEASED LITIGANT for the Appellant(s) No.1
MR KUNAL M SHAH, ADVOCATE for the Appellants No.1.1 & 1.2

MR MIHIR THAKORE, SENIOR ADVOCATE with
MR SALIL M THAKORE, ADVOCATE for the Respondents No. 1

Appeal from Order Nos.380 of 2016 to 382 of 2016 :
MR MIHIR THAKORE, SENIOR ADVOCATE with
MR SALIL M THAKORE, ADVOCATE for the Appellant No. 1

DECEASED LITIGANT for the Respondent(s) No.1
MR NIKUNT K RAVAL, ADVOCATE for the Respondent No.1.2

MR MEHUL S SHAH, SENIOR ADVOCATE with
MR JENIL M SHAH, ADVOCATE for the Respondent No.2

NOTICE SERVED BY DS for the Respondents No. 3 & 4

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CORAM:**HONOURABLE MR. JUSTICE SANDEEP N. BHATT**

Date : 01/05/2024

ORAL ORDER

1. When the matters are called out, learned senior

advocate Mr. Mihir Thakore with learned advocate Mr Salil Thakore, with consent of learned advocate Mr. Nikunt Rawal and learned advocate Mr. Mehul S. Shah with learned advocate Mr. Jenil M. Shah, has submitted that he is not pressing the appeals filed by him and the learned trial Court may be directed to decide the proceedings of two suits in question within stipulated time of 12 to 18 months, by keeping all the rights and contentions of the parties open, as the suits are very old of the year 2007. He submits that these appeals proceedings accordingly may be disposed of.

2. Learned advocates for the other side are also agreeable to this suggestion and have no objection, if appropriate direction may be given to the learned trial Court and the present appeal/s proceedings are disposed of accordingly.

3. In view of above, all the learned advocates for the appellants do no press the respective appeals.

4. It is reported that the issues have been framed in the suit/s proceedings. Also, the request made by learned advocates is found reasonable and considering the fact that these appeals are pending since the year 2016 and 2017, respectively.

5. Under the peculiar circumstances, the learned trial Court concerned is directed to expedite the proceedings of both the suits, on or before 31.10.2025, in accordance with law, after giving opportunity to the parties to lead evidence and make necessary submissions.

6. All the rights and legal contentions of the respective parties are kept open, to be agitated before the learned trial Court in accordance with law.

7. It is clarified that this Court has not expressed any opinion on merits.

8. It is expected that the parties will cooperate the proceedings before the learned trial Court and will not ask for unnecessary adjournment.

9. With above direction, all these appeals are disposed of accordingly, as not pressed. Notice is discharged in all the appeals. All respective Civil Applications would not survive and are disposed of accordingly. Interim relief, if any, stands vacated in each application.

(SANDEEP N. BHATT,J)

M.H. DAVE