

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/APPEAL FROM ORDER NO. 196 of 2016**

With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2016
In R/APPEAL FROM ORDER NO. 196 of 2016

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HEMKUNVARBEN KALYANJI BACHULALBHAI TANNA

Versus

HARSHADRAI BACHULALBHAI GOVABHAI TANNA & 1 other(s)

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Appearance:

MR VISHAL C MEHTA(6152) for the Appellant(s) No. 1.1,1.2

DECEASED LITIGANT for the Respondent(s) No. 1

MR ANAND B GOGIA(5849) for the Respondent(s) No. 2

MR BB GOGIA(5851) for the Respondent(s) No. 2

MS MUSKAN A GOGIA(6624) for the Respondent(s) No. 2

VMP LEGAL(7210) for the Respondent(s) No. 1.1,1.2,1.3,1.4,1.5,1.6

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CORAM: HONOURABLE MR. JUSTICE SANDEEP N. BHATT

Date : 25/01/2024

ORAL ORDER

Perused the office note dated 25.8.2023.

When the matter is called out, learned advocate Mr.Mehta for the appellant has tendered copy of the order passed in Special Civil Suit No.87 of 2005 rejecting the suit under the provisions of Order 7 Rule 11(a)(d) of Civil Procedure Code. He, therefore, submitted that the present appeal arising out of the interlocutory order passed in the suit, will not survive and the appeal has become infructuous.

In view of the above subsequent development, this appeal is disposed of as having become infructuous. It is

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

In view of the disposal of the main appeal, civil application also stands disposed of. Notice is discharged.

SRILATHA

(SANDEEP N. BHATT,J)