IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 16658 of 2026

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LEGAL HEIRS OF DECEASED BHANABHAI SUKHABHAI PATEL & ORS.
Versus
HANSABEN D/O. BHANABHAI KANJIBHAI PATEL W/O. KANJIBHAI & ORS.
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Appearance:
MR MANAN A SHAH(5412) for the Petitioner(s) No. 1,1.1,1.2,1.3,1.4,2,2.1,2.2,2.3,3,3.1,3.2,3.3,3.4,4,5,6,7,8
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CORAM:**HONOURABLE MR. JUSTICE MAULIK J.SHELAT**

Date : 04/11/2026

ORAL ORDER

1. Heard Mr. Manan A. Shah, learned advocate for the petitioners.

2. This petition is filed under Article 227 of the Constitution of India, seeking the following reliefs:

> *"(A) YOUR LORDSHIPS be pleased to issue appropriate writ, order or direction directing the Ld. District Judge, Surat to decide Regular Civil Appeal No. 45 of 2022 as expeditiously as possible, in the interest of justice;*
>
> *(B) YOUR LORDSHIPS be pleased to grant such other and further reliefs as may be deemed fit and proper by this Hon'ble Court, in the interest of justice;"*

3. At the outset, Mr. Shah, learned advocate for the petitioners, candidly submitted to this Court that prior to filing of this petition, the petitioners have not formally

filed any application before the Appellate Court for expediting the hearing of Regular Civil Appeal No. 45 of 2022. Nonetheless, Mr. Shah, learned advocate, would submit that this Court may allow the petitioners to submit such application and appropriate observations may be made in this regard for expediting the hearing of the aforesaid appeal as most of the parties to the appeal are senior citizens aged more than 70 years.

4. Having heard Mr. Shah, learned advocate for the petitioners, and considering the fact that some of the parties to the appeal appear to be senior citizens aged more than 70 years, the petitioners herein are permitted to file an appropriate application before the Appellate Court where the Regular Civil Appeal No. 45 of 2022 is pending for expediting the hearing of such appeal.

5. As and when such application will be filed, after giving a reasonable opportunity of hearing to all the parties concerned, the Appellate Court may decide such application in accordance with law.

6. It is hereby observed that it is open for the Appellate Court to expedite the hearing of the aforesaid appeal and in such eventuality, the appeal may be heard as expeditiously as possible keeping in mind the fact that some of the parties to the appeal are senior citizens.

7. With the aforesaid observation and direction, the present petition is disposed of.

Direct service is permitted.

(MAULIK J.SHELAT,J)

SHAHANAZ

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: SYED SHAHANAZ(HC02353), ENGLISH STENO GRADE-II\, at High Court of Gujarat on 04/11/2026 14:42:33