

Gujarat High Court

Bhupatbhai vs Rajeshkumar on 18 March, 2009

Author: H.K.Rathod,&Nbsp

Gujarat High Court Case Information System

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CA/172520/2009 2/ 2 ORDER

IN  
THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL

APPLICATION No. 1725 of 2009

In

FIRST  
APPEAL (STAMP NUMBER) No. 2594 of 2008

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BHUPATBHAI  
GEMABHAI BARIYA - Petitioner(s)

Versus

RAJESHKUMAR  
RAMESHCHANDRA PARIKH & 3 - Respondent(s)

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Appearance  
:  
MR  
MTM HAKIM for  
Petitioner(s) : 1,  
RULE SERVED for Respondent(s) :  
1,  
UNSERVED-EXPIRED (R) for Respondent(s) : 2,  
RULE NOT RECD  
BACK for Respondent(s) : 3,  
MRS FALGUNI D PATEL for Respondent(s)  
: 4,  
=====

CORAM

:

HONOURABLE

MR. JUSTICE H.K.RATHOD

Date

: 18/03/2009

ORAL

ORDER

Heard learned Advocate Mr. Hakim for applicant. Respondent no.1 is served. Respondent NO.2 is unserved as expired. Rule not received back qua respondent no.3. For respondent No.4, learned Advocate Mrs. Falguni Patel is appearing.

Considering averments made in this application supported by affidavit and also considering submissions made by both learned advocates, delay of 38 days in filing of an appeal is condoned in interest of justice since sufficient cause is shown by applicant to satisfaction of this court. Since th is order has been passed by this court in absence of respondents no.2 and 3, it is open for said respondents to file appropriate application before this court, if they are having any grievance against this order. Rule is made absolute accordingly. This application stands disposed of accordingly.

(H.K.

Rathod,J.) Vyas Top