

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO.1355 of 2024

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M/S HARESH COTTON & ORS.

Versus

STATE OF GUJARAT THROUGH DEPUTY SECRETARY (APPEALS) & ORS.

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Appearance :

MR HARSHIL C DATTANI for the Petitioner Nos.1.1 to 1.3.

MR ANGESH A. PANCHAL, AGP for the Respondent No.1.

MR DIPAN DESAI for the Respondent Nos.2 & 3.

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CORAM:**HONOURABLE MR. JUSTICE NIRZAR S. DESAI**

Date : 04/08/2026

ORDER

Today, one Mr. Parimal Vrajlal Bagadia, Proprietor of M/s. Ramniklal Vrajlal and Company is present in the Court and he is identified by learned advocate Mr. Harshil C. Dattani. Learned advocate Mr. Harshil Dattani, upon instructions received from Mr. Parimal Vrajlal Bagadia states that Shri Sureshbhai Vrajlal Bagadiya, Proprietor of the petitioner firm i.e. M/s. Haresh Cotton as well as his wife Manjulaben Sureshbhai Bagadia have passed away and Mr. Parimal Vrajlal Bagadia, being the guarantor of the petitioner Firm as far as the loan advanced to the Firm is concerned has taken over the responsibility to pay the dues. He states that the rate of interest that is required to be payable by the petitioner to the Bank may be reduced from 16% to 10% and the respondent No.2 Bank may be directed to waive the legal fees which has been charged upon them.

2. Learned advocate Mr. Dipan Desai appearing with Ms. Jeni Thakore for the respondent No.2 Bank, under instructions,

states that the simple interest rate payable by the petitioner would be reduced from 16% to 10% and legal expenses would not be charged by the Bank from the present petitioner.

3. In view of the above statement, the Guarantor as well as brother of the Proprietor of the petitioner Firm who is present in the Court undertakes and makes a statement before this Court that pursuant to the demand notice issued by the respondent No.2 Bank, the petitioner shall clear the outstanding dues latest by 31.1.2027.

4. In view of the above, upon instructions received from the Guarantor of the firm, learned advocate Mr. Harshil Dattani seeks permission to withdraw this petition in view of the above statement made by learned advocate Mr. Dipan Desai. Permission as prayed for is granted. The petition stands disposed of as withdrawn. Notice is discharged. No order as to costs.

(NIRZAR S. DESAI,J)

SAVARIYA