IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/SPECIAL CIVIL APPLICATION NO. 16304 of 2026

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M/S ARVIND LIMITED THROUGH ITS AUTHORISED SIGNATORY
MS AVANI DALAL
Versus
PRAJAPATI VISHNUBHAI NARANBHAI & ORS.

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Appearance:
MR DHAVAL D VYAS, SENIOR ADVOCATE WITH MR PARTH D PATEL(9754) for the Petitioner(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE MAULIK J.SHELAT**

Date : 05/11/2026
ORAL ORDER

1. Heard Mr.Dhaval D. Vyas, learned Senior Advocate assisted by Mr.Parth D. Patel, learned advocate for the petitioner.

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

> *“A. This Hon'ble Court be pleased to admit and allow this petition and may be pleased to issue any appropriate writ order or direction to quash and set aside the impugned order dated 14/10/2026 passed by the Ld. Additional Senior Civil Judge, Kalol, Dist: Gandhinagar, below Exhibit 6, in Regular Civil Suit no. 185/2026, which is annexed hereto at "Annexure-A"*
>
> *B. Pending admission, hearing and final disposal of the present petition this Hon'ble Court may be pleased to stay the operation, implementation and execution of the impugned order dated 14/10/2026 passed by the Ld. Additional Senior Civil Judge, Kalol, Dist: Gandhinagar, below Exhibit - 6 in Regular Civil Suit no. 185/2026;*

> *C. Pending admission, hearing and final disposal of the present petition this Hon'ble Court may be pleased to stay the further proceedings of Regular Civil Suit no. 185/2026 pending before the Additional Senior Civil Judge, Kalol, Dist: Gandhinagar;"*

3. At the outset, Mr.Vyas, learned Senior Advocate would submit that currently the petitioner is worried about the direction issued by the trial court while appointing the Court Commissioner, more particularly Condition No.(d)(ii) and (iii), as it would amount to collecting the evidence for the benefit of the respondent – plaintiff.

4. At this stage, this Court would not like to opine anything, but after going through the impugned order and without entering into the merits of the matter, it is desirable that the petitioner shall approach the Trial Court concerned by way of an appropriate application seeking modification/review of the order impugned in this petition as regards the apprehension voiced by the petitioner before this Court, as recorded above.

5. Accordingly, the present petitioner is relegated to the Trial Court. If any such application will be filed by the petitioner before the Trial Court, after hearing the parties, the Trial Court shall hear and decide such application, in accordance with law and till such time, if so required, the execution of work of the Court Commissioner may be deferred as the Court Commissioner is going to visit the site on 08.11.2026.

6. With the aforesaid observations and directions, the present petition is disposed of.

(MAULIK J. SHELAT, J)

GAURAV J THAKER

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: GAURAVKUMAR JANARDANBHAI THAKER(HC00951), Principal Pvt. Secretary, at High Court of Gujarat on 05/11/2026 17:21:59