

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2040 of 1992

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

MOHAMAD HUSEIN G.A. KHALIFA

Versus

STATE OF GUJARAT

Appearance:

MRS KETTY A MEHTA for Petitioner

MR SR DIVETIA for Respondent

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 31/07/97

ORAL JUDGMENT

#. Shri G.M.Maknojia, Accounts Officer, from the office of respondent No.2 is present.

#. The petitioner, a 100% disabled person, an employee of the respondent on the post of Head Clerk, filed this Special Civil Application against the order dated 18th March 1992 of the respondents under which he was ordered

to be transferred from the District Industries Centre, Ahmedabad, to District Industries Centre, Amreli. However, this Court has passed the order to maintain status-quo and as such, for all these years, the said order of transfer was not given effect to.

#. The learned counsel for the petitioner submitted that the petitioner is a 100% handicapped person and all the time he needs help of other person. His brother, who is a rickshaw driver, is helping him in his life and as such, it is very difficult for him to live elsewhere.

#. In view of this position, on which there is no dispute, the learned counsel for respondents was directed to take instructions from the Government. Shri G.M.Maknojia, Accounts Officer, is present in the Court today and he makes a statement before this Court that the petitioner will not be disturbed from his present post.

#. In view of the statement made by the officer of respondent, the learned counsel for the petitioner prays for withdrawal of this Special Civil Application, to which the learned counsel for respondents has no objection. Order accordingly.

#. The Special Civil Application is dismissed as withdrawn. Rule discharged. Interim relief, if any, granted by this Court, stands vacated. No order as to costs.

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