

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2620 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE H.L.GOKHALE

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SHANTILAL GHEVARCHAND JAIN

Versus

STATE OF GUJARAT

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

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Appearance:

MR RM CHHAYA for Petitioner

M/S PATEL ADVOCATES for Respondent No. 1

MR PRASHANT G DESAI for Respondent No. 4

CORAM : MR.JUSTICE H.L.GOKHALE

Date of decision: 31/07/97

ORAL JUDGEMENT

Heard Mr Chhaya for the petitioner and Mr Sompura with Mr Patel for respondents nos.1 to 3 and Mr P.G. Desai for respondent no.4. The respondents as well as petitioner have made their submissions.

Rule has already been issued in this matter on 2nd April 1997. After the matter was heard for some time, Mr Chhaya makes a statement that in pursuance of the Division Bench judgment reported in 1988(1) GLR page 646, the petitioner would like to make a representation to the State Government under section 65 of the Gujarat Town Planning and Urban Development Act. He states that the representation will be made within one week from today. On the same being made, it will be considered and decided in accordance with law expeditiously but preferably within four weeks from the date of receipt of the same. Till then, the Town Planning Scheme will be deemed to have not been finalised with respect to the concerned plot. This is in view of the status quo granted earlier on 2.4.1997. Rule is made absolute to that extent with no order as to costs.

31.7.1997 (H.L. Gokhale, J.)
(mohd)