

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5125 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE S.D.PANDIT

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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?

BACHHUBHAI JAGABHAI RAVAT

Versus

D.D.O. PANCHMAHALS

Appearance:

MR MUKESH R SHAH for Petitioner
MR VIJAY H PATEL for Respondent No. 1
UNSERVED for Respondent No. 2
SERVED BY DS for Respondent No. 3, 4

CORAM : MR.JUSTICE S.D.PANDIT

Date of decision: 31/01/97

ORAL JUDGEMENT

Rule.

This petition is filed by the petitioner against the order of respondent No.4 dated July 1, 1996, by which though he admitted the Revision Application of the petitioner refused to grant interim relief in favour of the petitioner.

2. After the petitioner had filed this petition, an interim order has been passed by this court in favour of the petitioner and the said interim order is in force since that date of 19th July, 1996, till today. From the order of respondent No.4 it is quite clear that he has not assigned any reason for refusing to grant interim relief in favour of the petitioner. In view of the said nature of the order, the present Revision Application could not be said to be non-maintainable. But in view of the nature of the original proceeding, it is not necessary for me to go into details, but if I direct the respondent No.4 to decide the Revision Application admitted by him within 1 months from the date of appearance of the parties before him, then the real purpose for all the parties would be served. I, therefore, allow the present Writ Petition and order that the interim relief grant by this court on 19th July, 1996, is made absolute till the final decision of the Revision Application No.76 of 1996 pending before the respondent No.4. I direct the petitioner before this court as well as the respondents Nos. 1 to 3 to appear before respondent No.4 on 25-2-97 and the respondent No.4 is to give opportunity to petitioner and respondents Nos. 1 to 3 of being heard on that or any other day fixed by him, but he has to dispose off the said Revision Application within 4 weeks from 25-2-96. In view of the direction given by this court to the petitioner, respondents Nos. 1 to 3 to appear before the respondent No.4, it is not necessary for respondent No.4 to again issue notices to the parties to appear before him. Rule made absolute accordingly. Parties are directed to bear their own costs.