

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 370 of 1997

IN

CIVIL APPLICATION NO.7062 OF 1997

Hon'ble MR.JUSTICE Y.B.BHATT

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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?

CHOKSI ARUNKUMAR RAMANLAL

Versus

HASMUKHBHAI GOVINDBHAI PATEL

Appearance:

MR PREMAL R JOSHI for Appellant

MR BHAVSAR for MR BS PATEL for Respondents

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 30/11/98

ORAL JUDGEMENT

1. Heard Mr. Premal Joshi for the appellant and Mr. Bhavsar for Mr. B.S. Patel, learned counsel for the respondents.

2. As a result of the hearing and discussion a

consensus has been arrived at between the learned counsel, on the basis of which it is directed as under:

(A) The trial court shall hear and dispose of the pending suit viz. Special Civil Suit No.413/95 as expeditiously as possible and in any case not later than 31st August 1999. Learned counsel for the respective parties have assured this Court that the concerned parties shall cooperate with the trial Court in the disposal of the suit as directed herein.

(D) Until the suit is disposed of, the earlier orders passed in the above civil application shall continue to operate.

(E) In case the suit is not disposed of by the date stated hereinabove, and if the trial court records a finding, after hearing the parties, that it was the plaintiff who was responsible for the non-disposal of the suit as directed, the status-quo order continued so far and extended by the present order as indicated hereinabove, shall stand vacated.

2. The appeal and the civil application are accordingly disposed of with no order as to costs.

3. Registry is directed to send Yadi to the trial court forthwith i.e. not later than 4th December 1998. Direct service is also permitted.

30.11.1998 (Y.B. BHATT J.)