

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 804 of 1992

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
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? : NO

BHARVAD LAXMANBHAI DEVABHAI

Versus

COMPETENT AUTHORITY & DEPUTY COLLECTOR

Appearance:

MR RC JANI for Petitioner

MR VM PANCHOLI, AGP, for Respondent No. 1

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 30/06/1999

ORAL JUDGEMENT

Heard Mr RC Jani for the petitioner and Mr
V.M.Pancholi, learned AGP, for the respondents.

2 The petitioner has challenged the notice dated
24.1.1992 issued by the second respondent under the
provisions of the Urban Land (Ceiling & Regulation) Act,
1976, for taking over the possession of the land in

question. The authorities have not taken possession of the land in question from the petitioner which fact is not in dispute, in view of the ad interim relief dated 27.2.1992, confirmed on 24.3.1992 and in view of the instructions received by the ld. AGP from G.K.Muchpara, Deputy Mamlatdar, in the office of the respondent.

3 The Urban Land (Ceiling & Regulation) Act, 1976 has been repealed by the Urban Land (Ceiling & Regulation) Repeal Act, 1999, as adopted by the Gujarat State Legislative Assembly as per the resolution dated 30th March 1999, passed under Article 252(2) of the Constitution. In view of the provisions of the aforesaid Repeal Act, 1999, the orders impugned in the present petition do not survive and all the proceedings under the Urban Land (Ceiling & Regulation) Act, 1976 in respect of the land in question as well as the present petition have abated.

4 The petition is accordingly disposed of as having abated. There shall be no order as to costs.

(M S SHAH, J.)
(mohd)