

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2863 of 1989

For Approval and Signature:

Hon'ble MR.JUSTICE K.M.MEHTA

- =====
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

MADANKUMAR JAMNADAS JOSHI

Versus

STATE OF GUJARAT

Appearance:

MR PM THAKKAR for Petitioner
GOVERNMENT PLEADER for Respondent No. 1, 4
NOTICE SERVED for Respondent No. 2

CORAM : MR.JUSTICE K.M.MEHTA

Date of decision: 31/03/1999

ORAL JUDGEMENT

1. Shri Madankumar Jamnadas Joshi-petitioner has
filed this petition under Article 226 of the Constitution
of India challenging the action of the State of

Gujarat-respondent No.1 herein in not passing appropriate order appointing the petitioner on the Advisory Committee of Shri Narayan Sarovar Jagir at Kutchh in place of deceased "Gadipati". It was also alleged that he has addressed repeated reminders and inspite of this Honourable Court's earlier order dated 3.10.1979 effecting the appointment of "Gadipati" as the Vice Chairman of the Narayan Sarovar Jagir Advisory Committee while upholding at the same time the true spirit of the Constitutional guarantees, secularism, freedom of religion and management of religious affairs.

2. When this matter was placed before this court Mr. Justice M.B. Shah (As His Lordship then was) on 25.4.90 pleased to pass the following order:

"Mr. Pandya, Learned Govt. Pleader appearing on behalf of the respondents states that on or before 1.7.1990 in place of deceased Brahmachari Madhusudhan Lalji Maharaj suitable person would be appointed as Vice Chairman of the Executive Committee or as a representative religious denomination as per the scheme formed by annexure "C" collectively."

3. When the matter reached this court Mr. Navin Pahwa, Ld. advocate for the petitioner has pointed out the order dated 8.2.1996 passed by the Legal Department whereby Brahmachari Shri Anandbhavji Maharaj has been appointed as member of the Committee to advise the Collector to work as trustee of the Committee. Xerox copy of the said order is ordered to be taken on record. In view of the same, the learned advocate for petitioner states that the matter becomes infructuous and he does not press the matter. Matter, having become infructuous, stands disposed of. Rule is discharged. No order as to costs.

31.3.2000 (K.M. MEHTA, J)