

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2888 of 1991

For Approval and Signature:

Hon'ble MR.JUSTICE R.R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES
2. To be referred to the Reporter or not? : YES
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
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? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

ANKLESWAR INDUSTRIES

Versus

GUJARAT INDUSTRIAL DEVELOPMENT CORPORATION

Appearance:

MR IM BENGALI for Petitioner
NOTICE SERVED for Respondent No. 1
Mr.K.J. Makwan for M/S TRIVEDI & GUPTA
for Respondent No. 3

CORAM : MR.JUSTICE R.R.TRIPATHI

Date of decision: 30/06/2000

ORAL JUDGEMENT :

The matter was called out twice in the first session and again it is called out in the second half. The learned advocate for the petitioner is not present. Mr.K.J. Makwan for Messrs Trivedi & Gupta is present.

2. The present petition is filed for quashing of the

order of respondent no.2, Annexure 'a' dated 30.11.1987 and also for quashing of the order of the learned Assistant Judge, Bharuch in Regular civil Appeal No.13 of 1988 dated 25.4.1990. Mr.Makwan, the learned advocate for the respondent pointed out that the petitioner, partnership firm was allotted a shed no.C-1/B 2529 admeasuring about 704 sq. meters in the name of National Chemical Industries at Ankleshwar by allotment letter dated 11.8.1982. The name of National Chemical Industries was later changed and the partnership firm was reconstituted. Said change was approved by the respondents subject to certain conditions, as per the letter bearing No.RMS/ ANK/ 565 dated 29.1.1983. It is pointed out by Mr.Makwan that those conditions were not fulfilled by the present petitioner and hence the petitioner was directed to vacate the said shed bearing No.C-1/B 2529 at GIDC, Ankleshwar. Against the said order the petitioner had preferred appeal under sec.9 of the Act before the District court, Bharuch. Said appeal came to be rejected by a judgement and order dated 25.4.1990. It is against the said judgment and order, the present Special Civil Application is filed and the prayer is made to quash and set aside both the orders.

3. On a perusal of the order at Annexure 'A', page 9 dated 30.11.1987 and the judgement and order dated 25.4.1998 at Annexure 'B', no irregularity is found and there is no reason for which a contrary view is required to be taken. In view of the above, the Special Civil Application is dismissed. Rule is discharged with no order as to costs.

30th June 2000 (Ravi R. Tripathi, J.)

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