

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 1420 of 1999

in

SPECIAL CIVIL APPLICATION No 2177 of 1999

with

LETTERS PATENT APPEAL Nos 1561, 1562, 1563, 1564,  
1565, 1567, 1568, 1842, 1546, 1547, 1548, 1551, 1553,  
1554, 1557, 1559 and 1560 of 1999

with

Civil Application Nos. 12383, 14320, 14322 and 14321 of  
1999 and 664 of 2000

in

Letters Patent Appeal Nos. 1420, 1546, 1547,  
1548 and 1842 of 1999.

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For Approval and Signature:

Hon'ble CHIEF JUSTICE MR DM DHARMADHIKARI

and

Hon'ble MR.JUSTICE C.K.THAKKAR

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1. Whether Reporters of Local Papers may be allowed : NO  
to see the judgement?
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

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PRABHATSANG DEVUBHA JADEJA

Versus

JAMNAGAR DISTRICT PANCHAYAT

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Appearance:

MR TUSHAR MEHTA, Advocate, for the Appellant in LPA No.1420 of 1999.

Mr.J.A. Dave, Advocate, for the appellants in Letters Patent Appeal Nos. 1561, 1562, 1563, 1564, 1565, 1567, 1568, 1551, 1553, 1554, 1557, 1559 and 1560 of 1999.

Mr.R.M. Chhaya, Advocate, in Letters Patent Appeal Nos. 1842, 1546, 1547, and 1548 of 1999.

Mr.Pujari, AGP, for respondent State in Letters Patent Appeal Nos. 1420, 1561, 1562, 1563, 1564, 1565, 1567, 1568 and 1842 of 1999.

Ms.Manisha Lavkumar, AGP, for respondent-State in Letters Patent Appeal Nos. 1546, 1547, 1548, 1551, 1553, 1554, 1557, 1559 and 1560 of 1999.

Mr.P.V. Hathi, with Ms. Khyati Hathi, Advocates, for the respondent No.2, Taluka Development Officer, in all matters.

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CORAM : CHIEF JUSTICE MR DM DHARMADHIKARI

and

MR.JUSTICE C.K.THAKKAR

Date of decision: 29/02/2000

ORAL JUDGEMENT: (Per C.K. Thakkar, J.)

Admitted. Mr.Pujari and Ms. Manisha Lavkumar, AGPs., appear and waive service of notice of admission on behalf of the respondent-State in all matters, and Mr.P.V. Hathi, along with Ms. Khyati Hathi, appears and waives service of notice of admission on behalf of the respondent No.2, Taluka Development Officer, in all matters.

All these appeals are filed against the judgment and order passed by the learned Single Judge in Special Civil Application No.2177 of 1999 and companion matters, on 8th of October, 1999.

In the facts and circumstances of the case, and without observing anything on merits, we direct that if the appellants will make applications under Section 65 of the Bombay Land Revenue Code, 1879 (hereinafter referred to as "The Code"), the competent authority will decide the same in accordance with law and take appropriate decision thereon.

In view of the fact that we are not entering into the merits of the matters, all contentions of parties are left open. Such decision will be taken in accordance with law within the stipulated period. Appeals are accordingly disposed of. In the facts and circumstances, no order as to costs.

In view of the above order, no orders in C.A. Nos. 12383/99, 14320/99, 14322/99, 14321/99 and 664/2000.

Direct service is permitted.

29th February, 2000 ( D.M. Dharmadhikari, C.J. )

( C.K. Thakkar, J. )

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(apj)