

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 11020 of 1995

For Approval and Signature:

Hon'ble MR.JUSTICE J.N.BHATT

and

Hon'ble MR.JUSTICE C.K.BUCH

- =====
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

BABULAL HIRALAL PATEL

Versus

N R DAVE

Appearance:

MR SN SOPARKAR for Petitioner

MR SAKIL KURESHI FOR MANISH R BHATT for Respondent No. 1

NOTICE SERVED for Respondent No. 2

CORAM : MR.JUSTICE J.N.BHATT

and

MR.JUSTICE C.K.BUCH

Date of decision: 29/02/2000

ORAL JUDGEMENT (J.N.BHATT, J)

When the matter was called out, it was rightly jointly contended that the appeal is competent against the impugned order and, therefore, instead of entertaining the writ petition, the petitioner should pursue the right of appeal, and in the mean time, the interim order granted by this Court may continue till the decision on interim protection application is given by the competent authority.

This petition under Article 226 of the Constitution of India, shall stand rejected with a direction that interim order dated 6.2.1996 of this Court, until the disposal of the application for interim protection to be submitted along with the appeal, is decided on merits, shall stand continue. Rule is discharged. No order as to costs.

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