

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 473 of 1991

For Approval and Signature:

Hon'ble MR.JUSTICE R.K.ABICHANDANI

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
 2. To be referred to the Reporter or not? : NO
 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 concerned Magistrate/Magistrates, Judge/Judges, Tribunal/Tribunals? : NO

S R PATEL

SINCE DECEASED THROUGH HEIRS

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 473 of 1991
MR B.P. TANNA for Petitioner No. 1-1/2
MR M.R. MENGDEY, AGP for Respondents

CORAM : MR.JUSTICE R.K.ABICHANDANI

Date of decision: 29/11/2002

ORAL JUDGEMENT

1. When this petition is called out, it is pointed out that the petitioner is no more and his heirs are brought on record and now the question will not be of any

promotion, but it will be of retiral benefits which may enure to the petitioner's heirs and therefore, the petitioner's heirs would like to make a representation before the respondent State in the matter. It is stated that a representation will be made by the heirs of the petitioner to the State Government seeking benefits to which according to them the petitioner was entitled under the Regulations of the Medical Council of India. It is stated that such a representation will be made within four weeks.

2. The learned Assistant Government Pleader appearing for the respondent authorities states that if such a representation is made, the respondent State shall consider the same in accordance with law and take a decision in the matter within three months from the date of receipt of such representation.

3. It is expected that the State Government will sympathetically consider the representation and take a decision in accordance with law thereon within three months from the date of receipt thereof. In view of this, the learned counsel for the petitioner states that the petition is not pressed at this stage. Rule is therefore discharged with no order as to costs.

[R.K.ABICHANDANI, J.]

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