

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6091 of 1987

For Approval and Signature:

Hon'ble MR.JUSTICE JAYANT PATEL

- =====
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

GUNVANTRAI MOHANLAL VYAS

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 6091 of 1987
MR BM MANGUKIYA for Petitioner No. 1
GOVERNMENT PLEADER for Respondent No. 1
..... for Respondent No. 2
M/S MG DOSHIT & CO for Respondent No. 2
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CORAM : MR.JUSTICE JAYANT PATEL

Date of decision: 27/02/2002

ORAL JUDGEMENT

The petitioner has preferred this petition for

challenging the action of the authority as per order dated 18.7.87 whereby the petitioner was sought to be retired from 30.11.1987 by way of compulsory retirement. Prayer in the petition was that the petitioner may be permitted to continue to discharge his duty as Head Clerk till he reaches the age of superannuation upto 30.11.1988. This petition was admitted. However, no interim order was passed by the court so as to continue the petitioner in service. Therefore, the order of compulsory retirement has operated. Apart from that, in any event, the period of 30.11.1988 is over and therefore by afflux of time this petition has become infructuous. In that view of the matter this petition is disposed of as having become infructuous. Rule is discharged with no order as to costs.

27.2.2002 (JAYANT PATEL,J)