

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1273 of 2003

with

SPECIAL CIVIL APPLICATION No 14254 to 14275 of 2004

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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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 concerned : NO
Magistrate/Magistrates, Judge/Judges, Tribunal/Tribunals?

VASANTBA HATHISANG JADEJA

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 1273 of 2003
MR SHAKEEL A QURESHI for Petitioner No. 1-23
MS NANDINI JOSHI A.G.P. for Respondent No. 1-4
MR DHIRENDRA MEHTA for MR PV HATHI for Respondent No.5-6
MR CJ VIN for Respondent No. 7
 2. Special Civil Application No. 14254 to 14275 of 2004
MR SHAKEEL A QURESHI for Petitioner No. 1
..... for Respondent No. 1
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Date of decision: 28/10/2004

ORAL JUDGEMENT

1. RULE. Ms. Nandini Joshi learned A.G.P. waives service of rule on behalf of respondent nos. 1 to 4, Mr. Dhirendra Mehta waives service of rule on behalf of respondent nos. 5 & 6 and Mr. C.J. Vin waives service of rule on behalf of respondent no. 7. With the consent of the parties, the matter is taken up for final hearing today.

2. The petitioners have by way of this petition prayed that the respondents be directed to pay compensation towards the damage of the house as per the Government Resolution dated 23rd January, 2001, pursuant to the applications and representations dated 7th May, 2001, 9th May, 2001 4th June, 2001 11th June, 2001 and 20th July, 2001.

3. Heard the learned counsel for the respective parties. In view of the affidavit-in-reply filed by the respondents on 13th March, 2003, this Court will not be in a position to decide the controversy involved in this petition. However, during the course of arguments, the parties have arrived at a consensus. Therefore, ends of justice will be met, if the petitioners are directed to approach the Lokpal, Jamnagar, in order to get the controversies raised by the petitioners in these petitions decided.

4. Accordingly, it is directed that the petitioners shall approach the Lokpal, Jamnagar, and, in case the petitioners have already approached the competent authority, namely, the Lokpal, Jamnagar, then the said authority shall decide the controversies involved in the petitions, within a period of two months from the date of the receipt of the order of this Court.

5. With the above observation and directions, the petitions stand disposed of accordingly.

Direct Service is permitted.

[K.S. JHAVERI, J.]

/phalguni/