

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 974 of 2004

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

- =====
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?

HEIRS OF LRD OF DECD. NANALAL ATMARAM BHATT

Versus

CHIEF KOTHARI SWAMINARAYAN PRIYADASJI @ RADHARAN DEV

Appearance:

1. Special Civil Application No. 974 of 2004
MR UTPAL M PANCHAL for Petitioner No. 1-1/4
MS SEJAL K MANDAVIA for Respondent No. 1
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CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 31/01/2005

ORAL JUDGEMENT

1. The petitioners have preferred this petition in
order to quash and set aside the order dated 06/01/2004

passed in Civil Misc. Appeal No.101 of 2003 by the Joint Judge / 5th Fast Track Judge, Junagadh and to confirm the order dated 11/11/2003 below application exh.5 in Regular Civil Suit No.592 of 2003 passed by the learned 3rd Joint Civil Judge (J.D.), Junagadh.

2. I have heard learned counsel for the parties. By order dated 27/01/2004, this Court had restored the interim injunction granted by the trial Court by order dated 11/11/2003. Therefore, without entering into the merits of the matter, the trial Court is directed to hear the suit being Regular Civil Suit No.592 of 2003 pending before the Court of the learned 3rd Joint Civil Judge (J.D.), Junagadh and to dispose it of as expeditiously as possible and preferably within a period of one year from the date of receipt of writ of this order. Parties are directed to abide by the directions issued by this Court by the order dated 27/01/2004 referred to hereinabove.

3. With the above directions, the petition stands disposed of. Rule is made absolute to the aforesaid extent.

(K. S. Jhaveri, J.)

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