

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 11646 of 2020**

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GHANSHYAMBHAI DEVJIBHAI PATEL

Versus

STATE OF GUJARAT

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Appearance:

MR VICKY B MEHTA(5422) for the Petitioner(s) No. 1

for the Respondent(s) No. 2,3,4,5

MR SOAHAM JOSHI, AGP for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE BHARGAV D. KARIA

Date : 30/09/2020

ORAL ORDER

Heard learned advocate Mr. Vicky B. Mehta for the petitioner and learned Assistant Government Pleader Mr. Soaham Joshi for the respondent-State through video conference.

Learned advocate Mr.Mehta has tendered the draft amendment. Draft amendment is allowed in terms of the draft. To be carried-out in due course.

Learned AGP Mr.Joshi has taken the instructions in the matter and informed the Court that the respondent authorities have never denied the opportunity of hearing to the petitioner with regard to the stay application filed by him. It was further pointed-out by Mr.Joshi that the respondent authorities shall grant hearing to the petitioner

with regard to the stay application filed along with the appeal preferred by the petitioner under the provisions of the Arms Act, 1959.

In view of the above statement, Mr.Mehta seeks permission to withdraw this petition so as to approach the respondent authorities with a request to hear the appeal expeditiously so as to see that the same is not rendered infructuous.

The respondent authorities are therefore, directed to consider the application to be made by the petitioner and to hear the stay application at the earliest.

With the aforesaid direction, this petition stands disposed of as withdrawn.

Registry is directed to provide a copy of writ of this order to learned advocate for the petitioner through email so as to enable him to serve the same upon the respondents through R.P.A.D. Direct service is permitted.

(BHARGAV D. KARIA, J)

RAGHUNATH R NAIR