

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**SPECIAL CIVIL APPLICATION NO. 99 of 1987****FOR APPROVAL AND SIGNATURE:****HONOURABLE MR.JUSTICE S.R.BRAHMBHATT**

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- 1 Whether Reporters of Local Papers may be allowed to see the judgment ?
 - 2 To be referred to the Reporter or not ?
 - 3 Whether their Lordships wish to see the fair copy of the judgment ?
 - 4 Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 or any order made thereunder ?
 - 5 Whether it is to be circulated to the civil judge ?
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ISHWARBHAI CHHAGNBHAI PATEL & 8....Petitioners

Versus

COMPETENT AUTHORITY & 1....Respondents

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Appearance:

MR DILIP L KANOJIYA, ADVOCATE for the Petitioners No. 1 - 9

MS. SHRUTI PATHAK, LD. AGP for the Respondent No. 2

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CORAM: HONOURABLE MR.JUSTICE S.R.BRAHMBHATT**Date : 17/09/2013****ORAL JUDGMENT**

On 4/9/2013 the Court passed the following order:

“ Learned advocate for the petitioner has submitted that the reply is received only on 30.08.2013 and, therefore, a week’s time be granted to file rejoinder. Request is accepted with specific observation that no further time shall be granted in this matter. Put up on 11.09.2013 and on 11.09.2013, the matter shall be proceeded with, as the Court is not inclined to grant any further time in the matter.”

Today, when the matter is called out, none is present for the petitioners. Court perused documents on record and it appears that there is reply and rejoinder available on record, meaning thereby pleadings are complete. The decision on merits will surely affect adversely either party. Therefore, matter is required to be dismissed for default. Rule discharged. Interim relief, if any granted earlier, shall stand vacated. However, there shall be no order as to costs.

(S.R.BRAHMBHATT, J.)

FURTHER ORDER:

After the aforesaid order was passed, learned advocate for the petitioners appeared and expressly regrets for not remaining present and requested orally for restoring the same. The order was already signed and therefore, this oral request also could not be accepted.

(S.R.BRAHMBHATT, J.)

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