

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CRIMINAL APPLICATION NO. 8784 of 2021

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DEVJIBHAI JASMATBHAI PADSUMBIYA THROUGH TARUNBHAI
DEVJIBHAI PADSUMBIYA
Versus
STATE OF GUJARAT

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Appearance:

MR ANKIT B PANDYA(5906) for the Applicant(s) No. 1

for the Respondent(s) No. 2

PUBLIC PROSECUTOR(2) for the Respondent(s) No. 1

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CORAM:**HONOURABLE MR. JUSTICE ILESH J. VORA**

Date : 27/09/2021

ORAL ORDER

1. Heard Mr. I.H.Syed, learned Senior Counsel assisted by Mr. Ankit Pandya, learned counsel for the Petitioner.
2. Mr. Syed submits that, the allegations made in the FIR pertaining to the land bearing Survey No.488 of village Vavdi, which was mortgaged by grandfather of the complainant with the father of the Petitioner herein in the year 1959 and since then, possession of the said land is with the Petitioner. Admittedly, so far as the issue of mortgage is concerned, there is no further litigation being instituted by the complainant.
3. In such circumstances, case for interim relief is made out. Hence, **Notice**, returnable on **27.10.2021**. Learned APP waives Notice for the Respondent State. Meanwhile, there shall be no chargesheet without permission of this Court so far the applicant is concerned as he is aged 70 years. The Investigating officer shall remain present before the Court on the next date of hearing.

(ILESH J. VORA,J)

SUCHIT