

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**SPECIAL CRIMINAL APPLICATION (QUASHING) NO. 359 of 2015**

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SHAIENDRASINH GHANSHYAMSINH JHALA & 7....Applicant(s)

Versus

STATE OF GUJARAT & 1....Respondent(s)

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Appearance:

MR PR NANAVALI WITH MR HARSH V GAJJAR, ADVOCATE for the

Applicant(s) No. 1 - 8

MS MAITHILI MEHTA, APP for the Respondent(s) No. 1

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CORAM: HONOURABLE MR.JUSTICE VIPUL M. PANCHOLI

Date : 27/01/2015

ORAL ORDER

Heard learned advocate Shri P.R.Nanavati with learned advocate Shri Harsh V. Gajjar for the petitioners. Learned advocate for the petitioners submitted that power of attorney was executed by one Hemantbhai Pragjibhai Patel for the land in dispute in favour of the petitioner No.1. Learned advocate further submitted that the possession of the land was also handed over on the very same day to the petitioner No.1. Learned advocate for the petitioners referred to the documents i.e. the agreement to sell dated 24.07.2014 executed by Hemantbhai P. Patel in favour of the petitioner No.1. Learned advocate further pointed out that Special Civil Suit No. 401 of 2014 preferred by the respondent No.2 – original complainant against said Hemantbhai P. Patel and others is also dismissed by the learned Civil Court on 27.08.2014. Learned advocate further pointed out the interim order of First Appeal No.3027 of 2014 passed by this Court on 15.09.2014 and the order dated 12.01.2015 passed by this Court in Special Criminal Application No.123 of 2015.

In view of the aforesaid submissions, **Notice** returnable on **9th February 2015**. Learned APP Ms. Maithili Mehta waives service of Notice on behalf of respondent No.1 – State of Gujarat. *Ad interim* relief in terms of para 24(C) till the next date of hearing. Direct service is permitted. To be heard with Special Criminal Application No. 123 of 2015.

(VIPUL M. PANCHOLI, J.)

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