

SLP(C)No. 19256-19326 OF 1999

ITEM No.203

Court No. 5

SECTION IX  
A/N MATTER

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.19256-19326/1999

(From the judgement and order dated 12/02/1999 in FA 1775/95 to 1782, 1784-1794/95 FA Nos. 1428 to 14350 of 1995 and FA Nos. 12.2.99 in FA Nos. 5988 to 1450/1995 of The HIGH COURT OF GUJARAT AT AHMEDABAD)

MOHAN POPATBHAI (DEAD) BY LRS. & ORS.

Petitioner (s)

VERSUS

STATE OF GUJARAT & ANR

Respondent (s)

(With prayer for interim relief)  
( With Appln(s). for c/delay in filing SLP substitution of deceased petitioner ) ( For Final Disposal )  
With

SLP(C)No.4492-4686/2000, SLP(C)No.7854-7882/2000

Date : 12/04/2001 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS  
HON'BLE MR. JUSTICE R.P. SETHI

For Petitioner (s)

Mr. H.A. Raichura, Adv.

For Respondent (s)

Mr. SK Dholakia, Sr. Adv.  
Ms. Hemantika Wahi, Adv.

IM Nanavati Assoc. (NP)

UPON hearing counsel the Court made the following

O R D E R

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SLP(C)7854-7882/2000@@  
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Mr. SK Dholakia, learned senior counsel submitted that as the State has already moved the High Court for correction of that part of the judgment, these SLPs may be allowed to be withdrawn without prejudice to the right of the State to pursue the matter. Accordingly these SLPs are dismissed as withdrawn.

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SLP(C) Nos.19256-19326/99 & 4492-4686/2000@@  
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We are not inclined to consider the question of further enhancement or of the market value of the land

though learned counsel contended that even when preferring a cross-objection or an appeal the court has jurisdiction to grant the same. The remaining question raised is that the petitioner is entitled to interest of solatium. Since the question is now pending before a larger bench of this Court in the interest of justice the same course can be adopted in this case also. Learned counsel submits that the said course has been reported in 1996(6)SCC 551.

These SLPs are disposed of in terms of the said order.

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Hemalatha

(HK Bhatia)  
Court Master