

ITEM NO.51

COURT NO.3

SECTION III

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).13402/2018

(Arising out of impugned final judgment and order dated 17-09-2012 in SCA No. 10797/2012 passed by the High Court of Gujarat at Ahmedabad)

HARSHAD KUMAR MAFATLAL RATHOD

Petitioner(s)

VERSUS

THE STATE OF GUJARAT & ORS.

Respondent(s)

Date : 27-08-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MADAN B. LOKUR
HON'BLE MR. JUSTICE S. ABDUL NAZEER
HON'BLE MR. JUSTICE DEEPAK GUPTA

For Petitioner(s) Mr. V. Sivasubramanian, AOR

For Respondent(s) Ms. Hemantika Wahi, Adv.
Ms. Vishakha, Adv.
Ms. Mamta Singh, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

The Special Civil Application filed by the petitioner through Jail was dealt with by the learned Single Judge of the Gujarat High Court in the following terms:

"In view of the correspondence between the State Government and respondent No.2 and in view of the conduct of the petitioner, the petitioner is not entitled for any of the benefits claimed in this petition. Hence, the petition is dismissed. Notice is discharged."

The order passed by the High Court does not disclose any facts nor does it disclose any reason for dismissal of the petition. It can hardly be said to be worthy of consideration.

Under the circumstances, the order passed by the High Court on 17th September, 2012 is set aside and the matter is remanded to the High Court for reconsideration on merits and for a judgment with reasons.

The special leave petition stands disposed of.

(SANJAY KUMAR-I)
AR-CUM-PS

(KAILASH CHANDER)
ASSISTANT REGISTRAR