

ITEM NO.34

COURT NO.10

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). 20998/2019

(Arising out of impugned final judgment and order dated 09-07-2019 in CA No. 2/2019 in Special Civil Application No.20379/2016 passed by the High Court Of Gujarat At Ahmedabad)

DAKSHABEN

Petitioner(s)

VERSUS

MANJULABEN & ORS.

Respondent(s)

(IA No.132773/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.132774/2019-EXEMPTION FROM FILING O.T.)

Date : 11-09-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s) Mr. Abhinav Jain, Adv.
Mr. Rajeev Singh, AOR

For Respondent(s)

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

We would loath to interfere in the discretion of the High court as to how and when the matter has to be heard.

We may, however, notice that apparently the request of the petitioner for vacation of the interim order has been pending for 18 dates and we are informed that on the last date of 06th September, 2019 also the respondent(s) before us chose not to appear and once again the matter has been adjourned to 30.09.2019. Thus, the grievance of the petitioner undoubtedly is genuine to the extent that his request of consideration of the matter is not

receiving attention.

As the next date has already been fixed as 30th September, 2019, we are sure that the Court will bestow consideration on the matter of vacation of stay irrespective of the fact whether the respondent before us plays truant before the High Court.

The Special Leave Petition is disposed of with the aforesaid observation.

Pending applications stand disposed of.

(ASHA SUNDRIYAL)
COURT MASTER

(ANITA RANI AHUJA)
COURT MASTER