

Gujarat High Court

Hiraba vs State on 22 July, 2008

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Gujarat High Court Case Information System

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CA/677420/2007 2/ 2 ORDER

IN
THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL
APPLICATION - FOR CONDONATION OF DELAY No. 6774 of 2007

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HIRABA
WD/O NATHUSINGH VAJESINGH & 6 - Petitioner(s)

Versus

STATE
OF GUJARAT & 6 - Respondent(s)

=====

Appearance
:
MR
PS PATEL for
Petitioner(s) : 1
- 7.
MR SATYAM CHHAYA, AGP for
Respondent(s) : 1
- 3.
RULE
SERVED for
Respondent(s) : 4
- 7.
=====

CORAM

:

HONOURABLE

MR.JUSTICE AKIL KURESHI

Date
: 22/07/2008

ORAL
ORDER

Additional affidavit filed on behalf of the applicants is taken on record.

Civil Application No.6774 of 2007 is filed seeking condonation of delay in filing Civil Application (St)No.2335 of 2007. That Civil Application seeks to bring on record the heirs of deceased petitioner No.1, Hiraba, deceased petitioner No.4, Udaji and deceased petitioner No.5 Somsang.

Learned advocate Shri P.S.Patel appearing for the applicant stated that the heirs of deceased Hiraba are already on record in other capacity. Qua her heirs, therefore, he does not press this application. He seeks and is granted permission to delete Hiraba as petitioner in the main matter. Insofar as other heirs are concerned, though there is enormous delay in filing the application for bringing the heirs on record, in the interest of justice, and considering that other petitioners are still on record and the petition qua them has otherwise also survived, the application for delay condonation is allowed. Civil Application stands disposed of accordingly. Rule is made absolute.

(Akil Kureshi, J.) (vjn) Top