

(2017) 04 GUJ CK 0007
In the Gujarat High Court
Case No : 19241 of 2016

STATE OF GUJARAT & ANR.

APPELLANT

Vs

SHITALBEN SURESHKUMAR JANI & ORS.

RESPONDENT

Date of Decision : 12-04-2017

Acts Referred:

Citation : (2017) 04 GUJ CK 0007

Hon'ble Judges : A.J.Desai

Bench : Single Bench

Advocate : V. S. PATHAK, ?SA DESAI

Final Decision : Disposed

Judgement

1. Rule. Mr. S.A. Desai, learned advocate appearing for the respondent Nos.1 to 3 waives service of rule. Though served, respondent Nos.4 and 5 have chosen not to remain present before this Court. With the consent of parties, the matter is taken up for final disposal today itself.

2. Considering the dispute involved in the present petition with regard to the retiral dues as well as family pension of late Sureshkumar Bhanushankar Jani between the legal heirs who claim right, I am of the opinion that the following order would meet the ends of justice :-

"The learned Principal Senior Civil Judge, Rajkot who is in charge of Regular Civil Suit No.178 of 2013 is hereby directed to decide the suit as expeditiously as possible, preferably within a period of six months from the date of receipt of this order. Till the suit is finally decided by the learned Trial Court, the amount of family pension as ordered by the learned 3rd Joint District Judge, Rajkot in Civil Misc. Appeal No.76 of 2014 shall be calculated by the petitioners herein and shall be deposited before the learned Trial Court within a period of two months from today."

3. It is hereby made clear that this Court has not gone into the merits of the

matter and has not expressed any opinion about the merits of the matter.

4. With the above observation and direction, the present petition stands disposed of. Rule is made absolute to the above extent.