

Deva Ram Vs. State of Rajasthan and ors.

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Court : Rajasthan

Decided On : Apr-13-2000

Reported in : 2000(2)WLN190

Judge : Rajesh Balia and; Yamin, JJ.

Appeal No. : D.B. Civil Writ Petition No. 1901 of 1993

Appellant : Deva Ram

Respondent : State of Rajasthan and ors.

Advocate for Pet/Ap. : Mr. Purohit

Disposition : Petition dismissed

Judgement :

Rajesh Balia, J.

1. Heard learned Counsel for the parties.
2. The earlier order on 22.4.1993 deciding the writ petition in the absence of the learned Counsel for the parties has been recalled by a separate order in D.B. Civil Misc. Application No. 197/99 and, therefore, the petition has once again become live to be heard on merit.

3. It has been pointed out by the learned Counsel for the respondent that this writ petition has been filed against the order passed by the Board of Revenue during the pendency of suit on an application for temporary injunction. During the intervening period the suit itself has been decided and therefore the dispute about the interim order which is the subject matter of writ petition no more survives.

4. In the aforesaid circumstances Mr. Purohit learned Counsel appearing for the petitioner states that the petitioner may be permitted to withdraw this writ petition without prejudice to his rights to persue remedy against the final order which has been made in proceedings before the revenue court in accordance with law.

5. Accordingly, the writ petition is dismissed as withdrawn with liberty to as prayed for. There shall be no order as to costs.

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