

At the Supreme Court Sitting as the High Court of Justice

HCI 6329/02

Before:

**Honorable Justice M. Cheshin
Honorable Justice E. E Levy
Honorable Justice S. Joubran**

The Petitioners:

1. _____ **Jaberi**
2. _____ **A-shtiyeh**
3. **HaMoked: Center for the Defence of the Individual, founded by Dr. Lotte Salzberger**

v.

The Respondent:

Commander of IDF Forces in the West Bank

Petition for *Order Nisi*

Session date:

18 Shvat 5764 (February 10, 2004)

Representing the Petitioners:

Adv. Yossi Wolfson

Representing the Respondent:

Adv. Shai Nitzan

Judgment

Based on the judgments rendered in HCI 6696/02, 6868/02 and other additional judgments (for instance: HCI 9907/02, 4241/03, 230/03, 8262/03 and others alike) we decide to delete the petition. Nothing herein shall prejudice petitioners' right to file a new petition based on the argument that according to the law and judgments the respondent is no longer authorized to issue a demolition order for the building being the subject matter of this hearing. Needless to say that when a house is demolished, the respondent should use his best efforts, under the circumstances of each and every case, not to cause injury to animals or property (beyond the house itself).

Today, 18 Shvat 5764 (February 10, 2004).

Justice

Justice

Justice