

=====

**IN THE COURT OF PRINCIPAL DISTRICT JUDGE
(MR.P.C.JOSHI), AT PORBANDAR.**

=====

**ORDER BELOW EXH.12 IN REGULAR CIVIL APPEAL
NO.37 OF 2024**

- [1] The respondents (original plaintiffs) have preferred present application Exh.12 for adjourning the present matter for a period of two weeks.
- [2] Heard Ld. Advocate Mr. N. D. Khatri appeared on behalf of the respondents (original plaintiffs) and Ld. Advocate Mr. S. H. Parmar appeared on behalf of the appellants (original defendants).
- [3] Here in the present application, the respondents (original plaintiffs) have sought for adjournment in the present appeal for a period of two weeks on the ground that the present appeal is time barred and the order dated 01.02.2025 passed below Exh.10 is under challenge before the Hon'ble High Court of Gujarat in Special Civil Application No.2451/2025 which will be listed very soon. Earlier, this Court has rejected the application Exh.10 filed by the respondents (original plaintiffs) seeking rejection of the present appeal on the ground that the present appeal is barred by limitation considering the provision of Article-116(b) of the Limitation Act. Thereafter, the respondents (original plaintiffs) have filed Special Civil Application No.2451/2025 before the Hon'ble High Court of Gujarat

challenging the order dated 01.02.2025 passed below Exh.10 by this Court. However, it is pertinent to note that the Hon'ble High Court has not stayed the present appeal till date. The ground mentioned for adjournment are not convincing and hence, the present application deserves to be rejected. Hence, following order is passed in the interest of justice.

ORDER

- [1] The present adjournment application Exh.12 is hereby rejected.
- [2] No order as to cost.

Signed and pronounced in the open Court today on 25th day of February, 2025.

Date: 25/02/2025
Place: Porbandar

(Pinakin Chandrakant Joshi)
(GJ00334)
Principal District Judge,
Porbandar.