

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 391 of
2026****In F/MISC. CIVIL APPLICATION/1603/2026
In F/FIRST APPEAL/28023/2025**

=====

RAMESHBHAI TRAMBAKLAL TURAKHIYA LHS OF DECEASED FENIL
RAMESHBHAI TURAKHIYA
Versus
MOMAIBHAI KALUBHAI JADAV & ANR.

=====

Appearance:

MR VISHAL B MEHTA(5319) for the Applicant(s) No. 1

NOTICE NOT RECD BACK for the Respondent(s) No. 1

NOTICE THROUGH SPEED POST UNSERVED for the Respondent(s) No. 2

CORAM:HONOURABLE MR.JUSTICE MOOL CHAND TYAGI**Date : 10/04/2026****ORAL ORDER**

1. The captioned Civil Application has been preferred seeking condonation of delay of 43 days occurred in preferring the Miscellaneous Civil Application filed for restoration of F/First Appeal No.28023 of 2025, which was dismissed on the ground of non-removal of office objections.

2. Heard learned counsel appearing on behalf of the applicant/original claimant.

3. Learned counsel for the applicant submitted that considerable time was consumed in getting the necessary instructions for preferring the appeal, therefore, the application for restoration could not be preferred in time. He further submitted that the delay is neither intentional nor malafide,

but has occasioned owing to the reasons mentioned in the instant application.

4. Having considered the submissions of the learned counsel for the applicants and having gone through the contents of the application, I am prima facie satisfied that the delay has been sufficiently explained, therefore, same is required to be condoned. Accordingly, the delay of 43 days occurred in preferring the Miscellaneous Civil Application for restoration of First Appeal is hereby condoned.

5. In view of the above, the captioned Civil Application stands disposed of with no order as to costs.

ARUN

(MOOL CHAND TYAGI, J)