

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 558 of
2026****In F/FIRST APPEAL/2930/2026**

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RAJESH PATEL S/O HARIVADAN PATEL**Versus****VINOD PATEL S/O HARIVADAN PATEL & ORS.**

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Appearance:**MR.ADITYA J PANDYA(6991) for the Applicant(s) No. 1****MR KHALIDAHMED F PATHAN(10047) for the Respondent(s) No. 1,2,3,4,5****RULE NOT RECD BACK for the Respondent(s) No. 3,4,5****RULE SERVED for the Respondent(s) No. 1,2**

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CORAM:HONOURABLE MR. JUSTICE BHARGAV D. KARIA**and****HONOURABLE MR.JUSTICE L. S. PIRZADA****Date : 20/04/2026****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE BHARGAV D. KARIA)**

1. Heard learned advocate Mr.Aditya J. Pandya for the applicant and learned advocate Mr.Khalidahmed F. Pathan appearing for the respondents.

2. By this application under section 5 of the Limitation Act, 1963, the applicant seeks condonation of delay of 177 days caused in filing the captioned First Appeal against the Judgment and Decree dated 03.05.2025 passed by the learned 20th Additional Senior Civil Judge, Vadodara in Special Civil Suit No.128 of 2024.

3. Learned advocate Mr.Khalidahmed F. Pathan for the respondents has raised objection for condonation of delay caused in filing the First Appeal and has filed a reply.

4. Having regard to the submissions advanced by the learned advocate for the applicant and more particularly, considering the averments made in the memorandum of application, the Court is of the view that the delay caused in filing the First Appeal has been sufficiently explained.

5. The application, therefore, succeeds and is, accordingly, allowed. The delay caused in filing the First Appeal is hereby condoned.

6. Rule is made absolute accordingly with no order as to costs.

(BHARGAV D. KARIA, J)

(L. S. PIRZADA, J)

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Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: HITESHKUMAR JAGDISHBHAI PANCHAL(HC00195), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 23/04/2026 11:40:59