

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 1707 of
2025****In F/LETTERS PATENT APPEAL NO. 4962 of 2025**

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ALPESH MAHESHBHAI MISTRY**Versus****SOJITRA TALUKA PANCHAYAT & ANR.**

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Appearance:**MR R G DWIVEDI(6601) for the Applicant(s) No. 1****MR CP CHAMPANERI(5920) for the Respondent(s) No. 1**

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CORAM: HONOURABLE MR. JUSTICE A.S. SUPEHIA**and****HONOURABLE MR. JUSTICE R. T. VACHHANI****Date : 26/06/2025****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE A.S. SUPEHIA)**

1. The present application is filed seeking condonation of delay of 165 days in filing the captioned appeal.

2. No one has remained present on behalf of the respondent.

3. Learned advocate Mr. Dwivedi has submitted that delay may be condoned as substantial time has been consumed in approaching the High Court Legal Services Committee (HCLSC) for engaging an advocate. He has submitted that the judgement and order in Special Civil Application No. 9630 of 2014, which is sought in the captioned appeal, was passed on 01.08.2024. It is submitted that the writ petition was represented by the

applicant through an advocate appointed by the HCLSC however, the applicant came to know about the said judgement on 05.09.2024, when he visited the office of HCLSC. It is submitted that thereafter, in view of modification made in the said judgement, he informed the HCLSC that he will suffer irreparable loss and hence, Retainer's opinion was taken, wherein he advised to prefer an appeal against the judgement of the learned Single Judge. He has further submitted that thus, the applicant requested the HCLSC to appoint an advocate for filing an appeal.

4. Learned advocate Mr.Dwivedi has further submitted that request of the applicant was accepted and the HCLSC informed him that he will be intimated, when an advocate is get appointed however, he did not receive any information and when he approached the HCLSC over telephone, he was informed that an advocate has been appointed for filing an appeal. It is submitted that thereafter, the applicant contacted the advocate on 19.09.2024 and he was informed to provide documents of the writ petition and therefore, he requested the HCLSC to provide the set of documents as required by the concerned advocate,

in response to which the HCLSC informed him that they will collect the documents from the Office and directly send the same to the concerned advocate. It is submitted that when the HCLSC provided documents to the advocate, the appeal was drafted. Thus, he has urged that the present application may be allowed.

5. We find the aforesaid reasons, which are explained, palatable. Delay requires to be condoned. The same is hereby condoned.

6. The present application stands allowed. The captioned appeal shall be listed in *seriatim*.

Sd/-
(A. S. SUPEHIA, J)

Sd/-
(R. T. VACHHANI, J)

NVMEWADA/50

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: NEHABEN VINODBHAI MEWADA(HC01571), PRIVATE SECRETARY, at High Court of Gujarat on 30/06/2025 18:14:05