

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 1938 of
2026****In F/CROSS OBJECTION/7514/2026
In R/FIRST APPEAL/3825/2022**

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RAMESHBHAI KEVALBHAI PARMAR (LH OF DECD JITUBHAI FULABHAI
THAKOR @ PARMAR) & ANR.

Versus

YOGESHBHAI JAGDISHBHAI SOLANKI & ORS.

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Appearance:

NISHIT A BHALODI(9597) for the Applicant(s) No. 1,2

MR. ALKESH N SHAH(3749) for the Respondent(s) No. 2

MS KIRTI S PATHAK(9966) for the Respondent(s) No. 3

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CORAM:HONOURABLE MR.JUSTICE MOOL CHAND TYAGI

Date : 05/05/2026

ORAL ORDER

1. The captioned application has been preferred for seeking condonation of delay of 1155 days caused in filing the cross objection.
2. Heard learned counsels for the parties.
3. Learned advocate for the applicants submitted that in arranging the necessary fund for obtaining the Court fee and meeting out the other expenses, the cross objection could not be filed in time and therefore, the delay of 1155 days has occasioned. He further submitted that the delay is neither intentional nor malafide but has occasioned owing to the reasons stated in the application. He further submitted that the applicants/claimants undertake to waive the interest for the delayed

period, if the appeal for enhancement is allowed.

4. On the other hand, Mr. Alkesh N. Shah, learned advocate for respondent no.2 and Ms. Kirti S. Pathak, learned advocate for respondent no.3 submitted that considering the facts and circumstances, the appropriate order may be passed.

5. Having considered the submission of the learned counsel for the applicants and having regard to the ground of delay pressed into service, I am of the considered view, constitutes the sufficient cause to condone the delay subject to the condition that the claimants shall not be entitled for any interest, on the enhanced amount of compensation for the delayed period, in case, the appeal for enhancement is allowed. In view of the above, the delay is condoned and the captioned application stands allowed. No order as to costs.

6. Registry is directed to reflect the name of Mr. Alkesh N. Shah, learned advocate for respondent no.2 and Ms. Kirti S. Pathak, learned advocate for respondent no.3 in the cause title of cross objection.

(MOOL CHAND TYAGI, J)

HARSHIT

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: HARSHIT SANCHETI(HCD0070), ENGLISH STENOGRAPHER GRADE TWO CLASS TWO, at High Court of Gujarat on 11/05/2026 08:57:37