

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 3251 of
2026****In F/MISC. CIVIL APPLICATION/9045/2026
In F/MISC. CIVIL APPLICATION/16965/2024
In F/SPECIAL CIVIL APPLICATION/38923/2022****With
F/MISC. CIVIL APPLICATION NO. 9045 of 2026
In
F/MISC. CIVIL APPLICATION NO. 16965 of 2024****=====**
KANJI RAKHYA JESANGJI AHIR
Versus
STATE OF GUJARAT & ORS.
=====**Appearance:****MR ANAND R PATEL(2424) for the Applicant(s) No. 1
MR. SANJAY UDHWANI, AGP for the Respondent(s) No. 1,2,3**
=====**CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL
and
HONOURABLE MR. JUSTICE D.N. RAY****Date : 03/08/2026****ORAL ORDER
(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA
AGARWAL)**

1. The present Civil Application No. 3251 of 2026 (F/No. 9047 of 2026) has been filed to condone the delay of 116 days in filing the restoration application, namely F/Misc. Civil Application No. 9045 of 2026 in F/Misc. Civil Application No. 16965 of 2024.

2. The delay condonation application (F/No. 9047 of 2026) was filed with office objections, which were directed to be removed by the order dated 06.07.2026. Upon removal of

office objections, the Civil Application has been registered on 24.07.2026.

3. Another F/Misc. Civil Application No. 9045 of 2026 with Civil Application (for condonation of delay) No. 33643 of 2025 has been filed to seek restoration of F/Misc. Civil Application No. 16965 of 2024 in F/Special Civil Application No. 38919 of 2022, wherein there were office objections, which were directed to be removed by the orders dated 09.12.2025 and 06.07.2026. It seems that due to non-removal of office objections pursuant to the order dated 09.12.2025, the delay condonation application filed in F/Misc. Civil Application No. 16965 of 2024 was dismissed for want of prosecution/non-removal of office objections.

4. The Misc. Civil Application No. 16965 of 2024, in turn, was filed seeking for recall of the order dated 19.01.2023 whereby the F/Special Civil Application No. 38923 of 2022 was dismissed for non-removal of the office objections.

5. From the above-noted facts, it is evident that the petitioner filed the writ petition, i.e. Special Civil Application No. 38923 of 2022 and kept it pending under office objections, when it was dismissed on 19.01.2023. Even,

subsequent recall applications were filed with the delay, which were dismissed on account of non-removal of office objections on 09.12.2025 and 06.07.2026. The present application, i.e. Civil Application No. 3251 of 2026 is for condonation of delay of 116 days in presentation of recall the F/Misc. Civil Application No. 9045 of 2026, seeking to recall the order dated 09.12.2025 whereby the Misc. Civil Application for recall of the order dated 19.01.2023 was dismissed for non-removal of office objections.

6. From the above-noted facts, it is evident that the petitioner is an unscrupulous litigant. He cannot be permitted to maintain the present proceedings before this Court. The present application seeking for condonation of delay of 116 days in filing the recall application, therefore, is dismissed for being devoid of merits. All other pending applications, i.e. restorations applications filed for recall of the orders dated 09.12.2025 and dated 19.01.2023 are accordingly, dismissed being devoid of merits. All connected applications stand dismissed. No order as to costs.

(SUNITA AGARWAL, CJ)

(D.N.RAY,J)

VARSHA DESAI