

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO.
2117 of 2025**

In F/FIRST APPEAL NO. 4450 of 2025

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HETALBEN ULPESHKUMAR SHAH(MEHTA) & ORS.

Versus

TUKARAM ANKUSH MOTE & ORS.

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Appearance:

MR. HEMAL SHAH(6960) for the Applicant(s) No. 1,2,3,4

RULE NOT RECD BACK for the Respondent(s) No. 1,2

RULE SERVED for the Respondent(s) No. 3

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CORAM:HONOURABLE MS. JUSTICE NISHA M. THAKORE

Date : 23/06/2025

ORAL ORDER

Heard Mr. Hemal Shah, learned advocate for the applicants. From the record, it transpires that Rule issued upon this Court upon the respondent no. 3 is reported to have been duly served. The service of rule qua respondent nos. 1 and 2 is awaited. Considering the limited prayer sought for seeking condonation of delay of 23 days, the application is taken up for hearing in absence of respondents.

2. Learned advocate has at the outset invited my attention to the averments made in the application and has urged this Court to condone the delay. Considering the submissions made by the learned advocate for the applicants, in light of the avermetns made in the application, it transpires that delay had been attributed due to time being consumed in arranging papers and forwarding certified copy to the learned advocate to prefer an appeal.

3. Considering the aforesaid explanation offered and noticing the fact that the applicants are original claimants intended to present their case for enhancement of amount of compensation by availing legal remedy of appeal, looking at the benevolent legislation, this Court is inclined to exercise its discretion and the delay of 23 days caused in preferring the appeal is hereby condoned. Hence, present application is allowed to the aforesaid extent.

RATHOD KAUSHIKSINH

(NISHA M. THAKORE,J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: KAUSHIKSINH JILUSINH RATHOD(HC00957), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 24/06/2025 12:19:40