

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 2954 of 2026****In F/LETTERS PATENT APPEAL/19593/2026  
In R/SPECIAL CIVIL APPLICATION/11550/2022****With  
R/CIVIL APPLICATION NO. 2972 of 2026  
In  
F/LETTERS PATENT APPEAL NO. 19591 of 2026  
With  
R/CIVIL APPLICATION NO. 2982 of 2026  
In  
F/LETTERS PATENT APPEAL NO. 19604 of 2026  
With  
R/CIVIL APPLICATION NO. 3085 of 2026  
In  
F/LETTERS PATENT APPEAL NO. 19602 of 2026**

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STATE OF GUJARAT

Versus

THAKOR MANGAJI AMTHAJI

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Appearance:

MS KRISHNA DESAI, AGP for the Applicant(s) No. 1

MR PRABHAKAR UPADYAY(1060) for the Respondent(s) No. 1

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**CORAM: HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA  
and  
HONOURABLE MR.JUSTICE J. L. ODEDRA****Date : 23/07/2026****ORDER  
(PER : HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA)**

(1) The State, being aggrieved by the order of the Controlling Authority, whereby the Controlling Authority had held that the employee was entitled to a sum of Rs. 1,63,941/-, approached

this Court by way of a writ petition.

(2) The learned Single Judge dismissed the writ petition on the ground that the Controlling Authority had passed its order on 29.08.2020 and though there was an appellate remedy, the State had chosen to bypass it and had approached this Court directly. The Court took the view that when the Appellate Authority itself could not condone the delay beyond 120 days, the writ petition had in fact being filed after a delay of two years could not be entertained.

(3) The learned Single Judge, therefore, proceeded to dismiss the writ petition on the ground that the State had failed to avail the remedy of appeal within the prescribed period of limitation and, therefore, the writ petition could not be entertained.

(4) Being aggrieved by the said order, the present appeal has been filed. There is a delay of 957 days in filing the appeal.

(5) As usual, the affidavit filed in support of the application for condonation of delay cites administrative procedures as the

ground for the delay.

(6) In our view, the cause shown by the State for an inordinate delay of 957 days cannot be accepted. It is pertinent to note that the State took two years to file the writ petition, and there is a further delay of nearly three years in filing the writ appeal.

(7) In our view, the cause shown, given the length of delay, can never be accepted as sufficient cause. The application filed for condonation of delay is, therefore, dismissed.

**(N.S.SANJAY GOWDA,J)**

**(J. L. ODEDRA, J)**

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