

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 4717 of
2024
In F/FIRST APPEAL/23297/2024

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THE STATE OF GUJARAT & ANR.
Versus
AMRUTBHAI PUJABHAI PATEL & ORS.

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Appearance:
MS.URVASHI PUROHIT AGP for the Applicant(s) No. 1,2
DECEASED LITIGANT THROUGH LEGAL HEIRS/ REPRESENTATIVES
for the Respondent(s) No. 1
RULE SERVED for the Respondent(s) No. 1.1,1.2,1.3,2

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CORAM: HONOURABLE MR. JUSTICE J. C. DOSHI

Date : 13/04/2026

ORDER

1. Learned AGP Ms.Urvashi Purohit for the appellants made twofold submissions. Firstly, she submitted that the delay of 738 days in filing the appeal against the impugned judgment and award was caused due to inadvertent administrative procedures that took place at various levels in the decision making system. Secondly, she submitted that the delay has been condoned in another matter arising from the common judgment. Therefore, she prayed that the delay be condoned.

2. However, neither of the contentions is accepted. So far as the first contention is concerned, the law under Section 5 of the Limitation Act is uniform and the State Government cannot claim any special privilege on the ground that time was consumed in its decision making process. As regard the second contention, learned AGP vaguely stated that another

matter arising from the same group, the delay had been condoned, but she failed to mention the number of the Civil Application or the First Appeal.

3. Be that as it may, By next date of hearing, it is expected from deponent Mr.Madhubhai Sajanbhia Bhoya, who has filed the Affidavit along with this petition and verified the same, to justify the statements made in para 1 and 2 explaining the delay and to clarify whether there exists sufficient cause to condone such delay. It further expected from the said deponent to state on Affidavit whether the decretal amount has been deposited, and if not, the reasons for the same.

4. Stand over to 25.06.2026.

5. It is made clear for the learned Reference Court that, as of now, there is no stay on the impugned judgment and award qua the present appeal.

MANOJ

(J. C. DOSHI,J)