

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**  
**R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 6089 of 2025**  
**In F/FIRST APPEAL/33895/2025**

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LAXMIBEN ARVINDBHAI CHAMAR (BHAMBHI) (LHS OF DECD. ARVINDBHAI ALIAS  
VINUBHAI REVABHAI CHAMAR) & ORS.

Versus  
HEIRS OF DECD PRAKASHBHAI MEGHJIBHAI CHARAN & ORS.

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Appearance:

MR VAIBHAV N SHETH(5337) for the Applicant(s) No. 1,2,3,4,5  
DECEASED LITIGANT for the Respondent(s) No. 1  
NOTICE SERVED for the Respondent(s) No. 1.1,2

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CORAM: **HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR**  
Date : 10/02/2026  
**ORAL ORDER**

1. Heard learned advocates for the respective parties.
2. This application is filed under Section 5 of the Limitation Act for condonation of delay of 356 days caused in filing the appeal on the ground mentioned in para 3 of the application.
3. Having heard the learned advocates for the respective parties and considering the averments made in this application, it appears that sufficient cause is made out to condone the delay and in view of the judgment passed by the Hon'ble Apex Court in the case of N. **Balakrishnan vs. N. Krishnamurthy, reported in AIR 1998 3222, therefore**, the delay of 356 days as explained by the learned advocate for the applicant is considered. The application is accordingly allowed subject to the condition that in the event any award or compensation is passed in favour of the applicant in future, the applicant shall **not be entitled to claim interest** for the aforesaid period.

**(HASMUKH D. SUTHAR,J)**

ALI

Original copy of this order has been signed by the Hon'ble Judge.  
Digitally signed by: ISTAYAK ALI(HC01093), PRIVATE SECRETARY, at High Court of Gujarat on 11/02/2026 16:35:59