

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 5935 of
2025
In
F/FIRST APPEAL/33234/2025

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PASCHIM GUJARAT VIJ COMPANY LIMITED
Versus
INDUCTO INDUSTRIAL GASES PRIVATE LIMITED

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Appearance:
MS LILU K BHAYA(1705) for the Applicant(s) No. 1
MR BHARAT T RAO(697) for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE A.Y. KOGJE
and
HONOURABLE MR. JUSTICE J. L. ODEDRA
Date : 05/02/2026
ORAL ORDER
(PER : HONOURABLE MR. JUSTICE A.Y. KOGJE)

Learned advocate for the applicant is on sick note, however, the application has come up before this Court for condonation of delay of 222 days.

At the outset, learned advocate for the respondent has immediately pointed out to the Court the discrepancies in the date mentioned in paragraph No.3 with regards to the date of pronouncement, the application for certified copy and the certified copy being ready for delivery and the date on which the delivery was taken which are relevant dates for the purpose of considering the delay. The Court has taken into consideration the certified copy of the impugned judgment and award wherein the official dates of aforesaid events has been categorically mentioned and apparently the date has been wrongly mentioned in paragraph No.3 where the copy was applied for on 02.12.2024 wherein in the

paragraph No.3, the date mentioned is 02.11.2024. Similarly, when the copy is ready for delivery on 07.012.2024, the application in paragraph No.3 mentions the dated to be 07.11.2024. There appears to be the *bonafide* mistake in typing the accurate date, however the Court deems it fit to impose cost of Rs.500/- for making wrong mentions for the aforesaid dates.

Learned advocate Mr. Bharat T. Rao for the respondent objects to the grant of application by drawing our attention to mismatch in the dates in paragraph No.3.

The Court has taken into consideration the reasons mentioned in paragraph Nos.3 & 4 and the appellant being the electric company which had to undertake several procedural steps before the decision to prefer an appeal can be taken which is explained in paragraph No.4 of the application. The Court finds such explanation to be reasonable, and therefore, treating the delay of 222 days not being inordinate, deems it proper to condone the same. Accordingly, the application is allowed.

(A.Y. KOGJE, J)

(J. L. ODEDRA, J)

Manoj Kumar Rai