IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CIVIL APPLICATION NO. 2534 of 2020

In F/FIRST APPEAL NO. 22043 of 2020

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HEIRS OF RAMESHBHAI PRABHUBHAI

Versus

SPECIAL LAND ACQUISITION OFFICER

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Appearance:
MR KM SHETH(838) for the Applicant(s) No. 1,1.1,1.2,1.3,1.4
for the Respondent(s) No. 2
MR TIRTHRAJ PANDYA, ASSISTANT GOVERNMENT PLEADER/PP(99) for the Respondent(s) No. 1

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CORAM: **HONOURABLE MR. JUSTICE R.M.CHHAYA**
and
HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI

Date : 03/11/2020

ORAL ORDER
(PER : HONOURABLE MR. JUSTICE R.M.CHHAYA)

1. Heard Mr. K.M. Sheth, learned advocate for the applicants and Mr. Tirthraj Pandya, learned AGP for the State Government.

2. Rule. Mr. Tirthraj Pandya, learned AGP waives service of notice of Rule on behalf of the State Government.

3. By way of the present application, the applicants have prayed for condonation of delay of 666 days in preferring the appeal.

4. At the outset, Mr. K.M. Sheth, learned advocate for the applicants, on instructions, states that as the delay is of 666 days, the applicants shall forgo interest of 300 days out of 666 days of

delay. Mr. Sheth contended that as stated in Paragraph 2 of the application, certain circumstances were beyond the control of the applicants which has caused delay of 666 days.

5. Mr. Tirthraj Pandya, learned AGP has submitted that considering the averments made in the application and the statement made by Mr. Sheth, this Court may condone the delay.

6. Having heard the learned advocates for the respective parties, delay of 666 days occurred in filing the appeal is condoned. However, as stated by Mr. Sheth, learned advocate for the applicants, the applicants shall forgo interest of 300 days out of 666 days of delay.

7. Accordingly, the present application is allowed to the aforesaid extent. Rule is made absolute in the above terms. Registry is directed to list the main appeal for admission hearing in the week beginning from 01.12.2020.

(R.M.CHHAYA, J)

(VAIBHAVI D. NANAVATI,J)

DRASHTI K. SHUKLA / MAULIK