IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 3530 of 2025

In F/FIRST APPEAL NO. 12657 of 2025

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ANJANABEN VINODBHAI VASAVA

Versus

RAISINHBHAI RAJNIBHAI CHAUDHARY & ORS.

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Appearance:
MR MOHSIN M HAKIM(5396) for the Applicant(s) No. 1
MR TANMAY B KARIA(6833) for the Respondent(s) No. 3
NOTICE SERVED for the Respondent(s) No. 1,2,4

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CORAM:**HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR**

Date : 08/12/2025

ORAL ORDER

1. Heard learned advocate for the Applicant and learned Advocate for respondent no.3. Though served, none appears for the remaining respondents.

2. This application is filed under Section 5 of the Limitation Act for condonation of delay of **2074 days** caused in filing the captioned appeal on the ground of appeal is to be preferred only after Insurance Company deposit the compensation and new certified copies were obtained. Further due to injuries and disability the applicant was unable to earn livelihood and facing paucity of funds and did not approach the Advocate in time. Hence, the dealy was occurred.

3. Learned Advocate for the respondent no.3 has opposed the present application on the ground that the inordinate delay is not properly explained by the applicant. Hence, he has requested to reject

the present 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 SUPREME COURT 3222,*** therefore, the delay of **2074 days** as explained by the learned advocate for the applicant is considered on condition that applicant shall not be entitled to the interest for the interregnum period of delay, if in case the applicant succeed in appeal. The application is accordingly allowed.

(HASMUKH D. SUTHAR,J)

ANKIT JANSARI

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: ANKIT YOGESHBHAI JANSARI(HCW0109), ENGLISH STENOGRAPHER GRADE I, at High Court of Gujarat on 08/12/2025 15:13:59