IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 4087 of 2025

In F/FIRST APPEAL NO. 20768 of 2025

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KALPESH CHANDUBHAI AGHERA
Versus
VIJAYBHAI DEVSHIBHAI SAGATHIYA & ANR.

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Appearance:
MR. HEMAL SHAH(6960) for the Applicant(s) No. 1
ORTIS LAW OFFICES(12342) for the Applicant(s) No. 1
MR MANAN B PANDYA(12491) for the Respondent(s) No. 2
NOTICE SERVED for the Respondent(s) No. 1

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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 Advocates for the respondents.

2. This application is filed under Section 5 of the Limitation Act for condonation of delay of **227 days** caused in filing the captioned appeal on the ground of arrangement of funds for filing appeal.

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 **227 days** as explained by the learned advocate for the applicant is considered. The application is accordingly allowed.

The Registry is directed to reflect the name of learned Advocate Mr. Manan Pandya, appearing for the respondent no.2 in captioned First Appeal.

(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 15:13:19