

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 4187 of 2025
In F/FIRST APPEAL/22374/2025

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VALJIBHAI GANDUBHAI LUNAGARIYA & ORS.

Versus
JOSEPH TENAPILLI POL & ANR.

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Appearance:

MR. HEMAL SHAH(6960) for the Applicant(s) No. 1,2,3
ORTIS LAW OFFICES(12342) for the Applicant(s) No. 1,2,3
HARSH A VYAS(9330) for the Respondent(s) No. 2
NOTICE UNSERVED for the Respondent(s) No. 1

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

Date : 03/02/2026
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 129 days caused in filing the appeal on the ground mentioned in paragraph No.4 and 5 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 129 days as explained by the learned advocate for the applicant is considered. The application is accordingly allowed.

ALI

(HASMUKH D. SUTHAR,J)

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 03/02/2026 14:26:38