

Gujarat High Court

Paschim vs Gujarat on 22 February, 2011

Author: Mr.S.J.Mukhopadhaya,&NbspMr.Justice J.B.Pardiwala,&Nbsp
Gujarat High Court Case Information System

Print

CA/106/2011 3/ 3 ORDER

IN
THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL
APPLICATION - FOR CONDONATION OF DELAY No. 106 of 2011

In
LETTERS PATENT APPEAL (STAMP) No. 2356 of 2010

In
SPECIAL CIVIL APPLICATION No. 7498 of 2009

with

LETTERS
PATENT APPEAL (STAMP) No. 2356 of 2010

In
SPECIAL CIVIL APPLICATION No. 7498 of 2009

=====

PASCHIM
GUJARAT VIJ CO LTD (O & M) & 1 - Petitioner(s)

Versus

GUJARAT
SIDHEE CEMENT LTD - Respondent(s)

=====

Appearance

:

MS

LILU K BHAYA for

Petitioner(s) : 1 - 2.

MRS KALPANA K RAVAL for Respondent(s) :

1,

=====

CORAM

:

HONOURABLE

THE CHIEF JUSTICE MR. S.J. MUKHOPADHAYA

and

HONOURABLE

MR.JUSTICE J.B.PARDIWALA

Date
: 22/02/2011

ORAL
ORDER

(Per : HONOURABLE MR.JUSTICE J.B.PARDIWALA) Heard respective counsel for the parties.

This is an application for condonation of delay of 296 days in preferring the Letters Patent Appeal challenging the order passed by the learned Single Judge dated 4th December 2009.

In the application for condonation of delay, the applicants have explained the cause for delay, stating that after the order was passed by learned Single Judge on 4th December 2009, the learned advocate appearing for the applicants communicated the same to the Company on 7th December 2009 with an opinion that appeal be preferred. It is further explained that some time was consumed by the Company in processing for obtaining sanction to file Letters Patent Appeal.

Learned counsel for the respondent has opposed this Application stating that no sufficient cause has been assigned for condonation of delay.

Having gone through the contents of the Application and the sufficient cause assigned, we feel that delay deserves to be condoned and the same is hereby condoned. Civil Application No.106/2011 stands allowed and the same is disposed of accordingly.

Mrs.Kalpna Raval, counsel appearing on behalf of the respondent - writ petitioner sought for and allowed a week's time to obtain instruction whether the writ petitioner intends to deposit security amount for confirmation of the interim relief.

Post the matter on 4th March 2011 within ten cases.

(S.J.Mukhopadhyaya, C.J.) (J.B.Pardiwala, J.) /moin Top