

Gujarat High Court

Deputy vs Unknown on 22 August, 2008

Author: A.L.Dave,&NbspHonble Smt. Kumari,&Nbsp

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CA/5901/2008 2/ 2 ORDER

IN
THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL

APPLICATION - FOR CONDONATION OF DELAY No. 5901 of 2008

In

LETTERS

PATENT APPEAL (STAMP NUMBER) No. 639 of 2008

In

SPECIAL CIVIL APPLICATION No.
17189 of 2007

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DEPUTY
EXECUTIVE ENGINEER - Applicant

Versus

DHIRUBHAI
GELABHAI CHAVDA - Opponent

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Appearance
:
MS
REETA CHANDARANA, AGP, for Applicant.
MR DR BHATT for
Opponent.

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CORAM

:

HONOURABLE

MR. JUSTICE A.L.DAVE

and

HON'BLE

SMT. JUSTICE ABHILASHA KUMARI

Date

: 22/08/2008

ORAL

ORDER

(Per : HONOURABLE MR.JUSTICE A.L.DAVE) This is an application for condonation of delay of 110 days caused in filing the Letters Patent Appeal.

2. Learned advocate Mr.D.R.Bhatt appearing for the opponent has relied on the decision of the Apex Court rendered in the case of P.K.Ramachandran v. State of Kerala & Anr. AIR 1998 SC 2276.

3. Having gone through the judgment, we are of the view that in light of the supporting affidavit filed by the applicant side, it cannot be said that the cause of delay is not reasonably explained. The judgment, therefore, cannot be of any help to the opponent. The delay caused in filing the appeal, therefore, deserves to be condoned. Accordingly, this application is allowed. Delay is condoned. Rule is made absolute. No costs.

[A.L.Dave,J.] [Smt.Abhilasha Kumari,J.] (patel) Top