

Gujarat High Court

M/S vs Kiritbhai on 4 May, 2010

Author: M.R. Shah,&Nbsp

Gujarat High Court Case Information System

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CA/11276/2009 2/ 2 JUDGMENT

IN
THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL

APPLICATION - FOR DELAY No. 11276 of 2009

In

CIVIL
REVISION APPLICATION (STAMP NO.) No. 154 of 2009

For
Approval and Signature:
HONOURABLE
MR.JUSTICE M.R. SHAH

=====

1

Whether

Reporters of Local Papers may be allowed to see the judgment ?

2

To be

referred to the Reporter or not ?

3

Whether

their Lordships wish to see the fair copy of the judgment ?

4

Whether

this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5

Whether

it is to be circulated to the civil judge ?

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M/S
KANUBHAI HIRALAL SHAH - Petitioner(s)

Versus

KIRITBHAI
JASHBHAI PATEL - Respondent(s)

=====
Appearance
:
MR
HM PARIKH for
Petitioner(s) : 1, MR RASESH H PARIKH for Petitioner(s) : 1,
MR
SACHIN D VASAVADA for Respondent(s) :
1,
=====

CORAM

:

HONOURABLE

MR.JUSTICE M.R. SHAH

Date
: 04/05/2010

ORAL
JUDGMENT

RULE.

Mr.Sachin Vasavada, learned advocate waives the service of notice of rule on behalf of the respondent.

With the consent of the learned advocates appearing on behalf of the respective parties, present application is taken up for final hearing today.

Present application under sec.5 of the Limitation Act has been preferred by the applicant - original petitioner to condone the delay of 43 days caused in preferring the Civil Revision Application challenging the judgement and order dtd.12/2/2009 passed by the learned 2nd Additional District Judge, Kheda at Nadiad in Civil Revision Application No. 6 of 2004.

Having heard the learned advocates appearing on behalf of the respective parties and considering the fact that arising out of the very judgement and order even the respondent has preferred Civil Revision Application No.136 of 2009, which is pending before this Hon'ble Court, present application is allowed and the delay caused in preferring the Civil Revision Application is hereby condoned. Rule is made absolute to the aforesaid extent. In the facts and circumstances of the case, there shall be no order as to costs.

[M.R.

SHAH, J.] rafik Top