

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO.
1652 of 2025****In F/LETTERS PATENT APPEAL NO. 6786 of 2025**=====
KANUBHAI DADABHAI GADHVI & ANR.

Versus

STATE OF GUJARAT
=====

Appearance:

MR R G DWIVEDI(6601) for the Applicant(s) No. 1,2

MS SHRUTI R. DHURVE, AGP for the Respondent(s) No. 1
=====CORAM: **HONOURABLE MR. JUSTICE A.S. SUPEHIA**

and

HONOURABLE MS. JUSTICE GITA GOPI**Date : 30/04/2025****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE A.S. SUPEHIA)**

1. The present application has been filed seeking condonation of delay of 167 days caused in filing the captioned Letters Patent Appeal.

2. Learned advocate Ms. Supriya Tiwari, appearing for the learned advocate Mr. R.G. Dwivedi, has submitted that the delay of 167 days may be condoned. She has also referred to the averments made in the application.

3. The following averments are made by the applicant seeking condonation of delay : -

"4. The Applicants states and submit that applicant came to know about Impugned Oral Order only on 27/09/2024 the date when he visited to the Office of HCLSC, Ahmedabad.

5. The Applicants states and submit that subsequently after getting the knowledge of Impugned Oral Order and in view of modification made in Impugned Oral Order, he requested to the HCLSC, Ahmedabad that he will suffer irreparable loss, hence in

response Retainer's opinion was taken, wherein Retainer advised to file LPA against the order of Hon'ble Single Judge. Hence applicant requested to the HCLSC to appoint an advocate for filing LPA.

6. The Applicants states and submit that their request was accepted by HCLSC and applicant was informed by the HCLSC that they will appoint an appropriate advocate and same shall be intimated to the applicant.

7. The Applicants states and submit that, as applicant did not receive any intimation from the HCLSC, then he called to the HCLSC over telephone and inquired about the same. In response he was informed by the HCLSC that present advocate has been appointed for filing of LPA.

8. The Applicants states and submit that subsequently on the receipt of intimation of advocate appointment, he contacted to present advocate on 30/09/2024, in response present advocate asked to provide him set of documents of SCA No. 17810 of 2016.

9. The Applicants states and submit that subsequently, he again requested to the HCLSC to provide the documents as required by the advocate, in response he was informed that they will collect the set of papers of SCA from the office and will directly supply to the Advocate.

10. The Applicants states and submit that only when the HCLSC has provided the documents to the advocate, he has drafted and presented present LPA."

4. Thus, perusal of the aforesaid averments reveal that the applicant has made efforts to get his case represented by the panel advocate of the High Court Legal Services Committee. We find that the reasons assigned by the applicant are acceptable. Hence, the delay of 167 days is condoned.

5. Learned Assistant Government Pleader Ms.Shruti R. Dhruve, has vehemently opposed the present application.

6. The present application is allowed. The delay is condoned. Registry is directed to give the *pakka* number to the Letters Patent Appeal and list the same in seriatim.

Sd/-
(A. S. SUPEHIA, J)

Sd/-
(GITA GOPI,J)

MAHESH/18

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: MAHESH OMPRAKASH BHATI(HC01086), PRIVATE SECRETARY, at High Court of Gujarat on 30/04/2025 14:57:58