

ITEM NO.7

COURT NO.2

SECTION III

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No. 29359/2024

(Arising out of impugned final judgment and order dated 04-07-2023 in FA No. 2509/2023 passed by the High Court of Gujarat at Ahmedabad)

M/S GOGA ENTERPRISE

Petitioner(s)

VERSUS

AHMEDABAD MUNICIPAL CORPORATION & ORS.

Respondent(s)

(IA No.162237/2024-CONDONATION OF DELAY IN FILING and IA No.162240/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.162243/2024-EXEMPTION FROM FILING O.T.)

Date : 30-08-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE SANJAY KUMAR

For Petitioner(s)

Mr. Nitesh Jain, Adv.
Ms. Swati Setia, AOR

For Respondent(s)

UPON hearing the counsel, the Court made the following
O R D E R

Delay condoned.

We are not inclined to interfere with the impugned judgment, which in our opinion, has correctly applied Section 3 read with Section 14 of the Limitation Act, 1963¹. This decision affirms the principle that where the parties wrongly and deliberately to avoid going to the civil court, invoke jurisdiction of the criminal forum/court for a civil wrong, benefit Section 14 of the Act will

not be applicable.

Recording the aforesaid, the special leave petition is dismissed.

Pending application(s), if any, shall stand disposed of.

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
ASSISTANT REGISTRAR