

GJVD230000662026



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MACMA No.13 of 2026

Received on 09/02/2026

Registered on 09/02/2026

Decided on 30/06/2026

Duration 00 04 21
YY MM DD

**BEFORE THE MOTOR ACCIDENT CLAIMS TRIBUNAL
(AUXI.-8) VADODARA AT-KARJAN.**

M.A.C.M.A No.13 of 2026

Exh.14

Claimant :-

Parvezbhai Rafikbhai Chauhan

Residing at : Kiya, Tal. Karjan, Dist.Vadodara

V/s.

Opponents :-

1. Rajeshbhai Khushalbhai Parmar
Residing at:- Parmar faliyu, Kiya, Tal. Karjan,
Dist.Vadodara
2. ICICI Lombard
Office at:- 3rd Zodiac Square, S.G.Road,
Ahmedabad

Subject : Application under Section 5 of the Limitation Act

Appearance :-

Mr. S. S. Chand, Ld. Advocate for the Claimant.

Mr. R. K. Prmar, Ld. Advocate for the opponent Nos.1

Opponent No.2 remained absent

:: JUDGMENT ::

- (1) This application is moved by the applicant for the condonation of delay caused in filing the claim petition for compensation under the Motor Vehicles Act, as he could

not file the petition within the prescribed period of six months from the date of the accident.

- (2) Heard the learned Advocate for the applicant. He submitted that the applicant sustained grievous injuries in the vehicular accident and remained under medical treatment for approximately three to four months. Furthermore, as the applicant resides in a very small village, he lacked awareness regarding the legal requirement to file a claim petition. Consequently, he could not file the claim petition within the prescribed period of six months. With these submissions, the learned Advocate prayed for permission to file the claim petition for compensation under the Motor Vehicles Act.
- (3) Ld. Advocate for the opponent No.1 submitted appropriate order may kindly be passed regarding subject matter.
- (4) None present for the opponent No.2, though notice is duly served by E-mail.
- (5) The DAR is inserted in the record at Exh.13.
- (6) Having heard the arguments of both sides and perused the judgment delivered by the **Hon'ble Gujarat High Court in the case of *Bajaj Allianz General Insurance Co. Ltd. vs. Virsinh Muljibhai Khadiya & Ors.*, dated 02.01.2025**, I am of the view that this application deserves to be allowed. This Court has also considered that the injured person was under medical treatment for a considerable period, and the grounds submitted for the delay appear just and reasonable. In view of the above, the following order is passed:

(7)

FINAL ORDER

1. The MACMA NO. 13 OF 2026 is hereby allowed.
2. It is hereby ordered that the claim petition submitted by the claimant along with this application be registered as a Motor Accident Claims Petition (MACP) and proceeded with in accordance with the law.
3. It is further ordered that DAR at Exh.13 is exhibited in the newly registered MACP.

Signed and pronounced in open tribunal
on 30th June, 2026

Date :30/06/2026 (MANOJ BHAILALBHAI KOTAK)
M.A.C. Tribunal (Auxi.)
Vadodara @ Karjan.
UID CODE NO.GJ00718

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