

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 1337 of
2026****In F/FIRST APPEAL/61/2026**

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RADHABEN RATANSHIBHAI ZALARIYA & ORS.**Versus****SHANKARBHAI NARSHIBHAI RABARI & ORS.**

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Appearance:**MR.HIREN M MODI(3732) for the Applicant(s) No. 1,2,3,4,5,6**

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CORAM:HONOURABLE MR.JUSTICE MOOL CHAND TYAGI**Date : 17/03/2026****ORAL ORDER**

1. The captioned application is filed for seeking the condonation of delay of 449 days in preferring the appeal against the impugned judgment and award dated 04.07.2024 passed by the learned Motor Accident Claims Tribunal, Morbi in MACP No.42/2018.
2. Heard learned counsel for the applicant.
3. Learned counsel for the applicant submitted that owing to the poverty, the claimant could not arrange the Court fee in time, therefore, the delay of 449 days has occasioned in preferring the appeal. He further submitted that the applicant shall not claim any interest for the entire delayed period, in case, the appeal for enhancement is allowed.
4. Having considered the submissions of the learned counsel for the applicant and having regard to the ground of delay pressed into service,

I am of the considered view, constitutes the sufficient cause to condone the delay subject to the condition that the claimant shall not be entitled for any interest, on the enhanced amount of compensation for the delayed period, in case, the appeal for enhancement is allowed. In view of the above, the delay is condoned and the present application stands allowed. No order as to costs.

HARSHIT

(MOOL CHAND TYAGI, J)