

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 1077 of
2025****In F/FIRST APPEAL/1965/2025**

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RAVJI GOVIND KOLI

Versus

KATHAN PANCHAL KOLI & ORS.

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Appearance:

MR. HEMAL SHAH(6960) for the Applicant(s) No. 1

DS AFF.NOT FILED (R) for the Respondent(s) No. 1

MR TANMAY B KARIA(6833) for the Respondent(s) No. 4

ABHISHEK JAIN, AGP for the Respondent(s) No. 2,3

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CORAM: HONOURABLE MR. JUSTICE MOOL CHAND TYAGI**Date : 20/07/2026****ORAL ORDER**

1. Heard learned counsels for the parties.
2. Mr. Hemal Shah, learned advocate for the applicant - original claimant has relied upon the averments made in the instant application and submitted that the appeal could not be presented within the prescribed period of limitation. Learned advocate for the applicant further submitted that looking to the benevolent piece of legislation, the applicant intends to present his case for enhancement of the compensation. Learned advocate for the applicant has therefore, urged this Court to take liberal view and condone the delay.
3. Mr. Tanmay B. Karia, learned counsel appearing on behalf of respondent no.4/insurance company submitted that the appeal

preferred by the respondent no.4/insurance company has been dismissed on the ground of smallness of amount. He submitted that at that time, the claimants have not preferred any appeal for enhancement. He further submitted that there is an inordinate delay in preferring the appeal, therefore, the captioned application for condonation of delay deserves to be rejected.

4. Mr. Abhishek Jain, learned AGP for respondent nos.2 and 3 submitted that considering the facts and circumstances, appropriate order may be passed.

5. Having considered the submissions of the learned counsels for the parties and having gone through the record, I am of the considered view that the delay has been sufficiently explained and the same is deserved to be condoned on the ground that the claimant/appellant shall not be entitled for the interest for the entire delayed period. Hence, the present application deserves to be allowed and is accordingly allowed. No order as to costs.

6. Registry is directed to reflect the names of Mr. Tanmay B. Karia, learned advocate for respondent no.4 and Mr. Abhishek Jain, learned AGP for respondent nos.2 and 3 in the cause title of First Appeal.

(MOOL CHAND TYAGI, J)

HARSHIT