

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 933 of
2026****In F/FIRST APPEAL/2944/2026**

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KALUBHAI BABUBHAI VAGHELA
Versus
ASHWIN BABUBHAI SANKHAT & ORS.

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Appearance:

NISHIT A BHALODI(9597) for the Applicant(s) No. 1
MASUMI V NANAVATY(9321) for the Respondent(s) No. 3
MR VIBHUTI NANAVATI(513) for the Respondent(s) No. 3
NOTICE SERVED for the Respondent(s) No. 1,2

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CORAM:HONOURABLE MR.JUSTICE MOOL CHAND TYAGI**Date : 10/04/2026****ORAL ORDER**

1. The present application has been preferred for seeking condonation of delay of 234 days caused in preferring the appeal against the impugned judgment and award dated 05.03.2025 passed by the learned Motor Accidents Claim Tribunal (Main), at Rajkot, in M.A.C.P. No. 864 of 2016.

2. Heard learned counsels for the parties.

3. Learned counsel for the applicant submitted that the delay has occasioned owing to the time consumed in arranging the necessary documents and owing to the poverty of the applicants, as they could not arrange the necessary Court Fee and other expenses to prefer the appeal within the period of limitation. He further submitted the delay is neither intentional nor malafide, but has occasioned owing to the reasons mentioned in the instant application.

4. Learned advocate, Mr. Vibhuti Nanavati submitted that he has instructions to appear on behalf of respondent No.3 in this matter. He further submitted that considering the facts and circumstances of the case, an appropriate order may be passed.

5. Having considered the submissions advanced by the learned advocates for the parties and having regard to the ground for delay pressed into service, in my considered opinion, constitutes a sufficient ground for condoning the delay. Accordingly, the delay of 234 days occasioned in preferring the appeal is condoned.

6. Accordingly, the present Civil Application stands allowed. There shall be no order as to costs.

7. Registry is directed is directed to take necessary steps to reflect the name of Mr. Vibhuti Nanavati and Ms. Masumy Nanavatii, learned advocates appearing on behalf of respondent No.3, in the First Appeal.

ARUN

(MOOL CHAND TYAGI, J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: ARUN B(HC02368), ENGLISH STENO GRADE-II\, at High Court of Gujarat on 17/04/2026 13:41:33