

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/MISC. CIVIL APPLICATION (FOR RESTORATION) NO. 789 of 2026****In F/FIRST APPEAL/12417/2025**

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SITABEN WD/O GANPATBHAI DHIRABHAI NAYAK & ORS.

Versus

PRAKASHBHAI C PATEL & ANR.

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Appearance:

MR SOHIL S DADI(12049) for the Applicant(s) No. 1,2,3,4,5,6

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CORAM:HONOURABLE MR.JUSTICE MOOL CHAND TYAGI**Date : 07/04/2026****ORAL ORDER**

1. The captioned petition is preferred for restoration of the main matter i.e. F/FA No.12417/2025 to its original status.

2. It has been averred in the petition that the impugned judgment and award came to be passed on 30.12.2024 by the learned Motor Accident Claims Tribunal (Auxiliary), Panchmahals at Godhra and thereafter, the said impugned judgment and award came to be challenged by way of filing the First Appeal. The said First Appeal came to be dismissed for default vide order dated 22.07.2025 due to non-removal of office objections. It has been further averred that the objections could not be removed owing to the reason that the claimants/appellants could not arrange the requisite Court fees within the stipulated time. It is, therefore, prayed that the main matter be restored to its original status.

3 Having considered the averments made in the petition, I am of the considered view that the captioned petition deserves to be allowed and hence accordingly, the F/First Appeal No.12417/2025 is restored to its original status, on the condition that the claimants/appellants shall not be entitled for interest for the delayed period i.e. from the date of dismissal (22.07.2025) till the removal of office objections.

4. The petitioner is directed to remove the office objections within a period of 2 weeks from today. In view of the above, the captioned petition stands disposed of.

(MOOL CHAND TYAGI, J)

HARSHIT

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: HARSHIT SANCHETI(HCD0070), ENGLISH STENOGRAPHER GRADE TWO CLASS TWO, at High Court of Gujarat on 08/04/2026 13:02:36