

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 1518 of
2026****In F/FIRST APPEAL/8069/2026**

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MANJUBEN CHANDUBHAI DABHI & ORS.

Versus

ARVINDBHAI MANJIBHAI VAGHELA & ORS.

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Appearance:

KAASH K THAKKAR(7332) for the Applicant(s) No. 1,2,2.1,2.2,2.3,3

MR. KULDEEP D VAIDYA(7045) for the Applicant(s) No. 1,2,2.1,2.2,2.3,3

RAHUL K. DAVE, AGP for the Respondent(s) No. 3

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CORAM:HONOURABLE MR.JUSTICE MOOL CHAND TYAGI**Date : 02/04/2026****ORAL ORDER**

1. The captioned application is filed for seeking the condonation of delay of 722 days caused in preferring the appeal against the impugned judgment and award dated 18.01.2025 passed by learned Motor Accident Claims Tribunal in MACP No.267/2021.

2. Heard learned counsels for the parties.

3. Learned counsel for the applicants submitted that considerable time has been spent in obtaining the certified copy of the order and arranging the finance to prefer the appeal. He further submitted that the delay is neither intentional nor malafide but has occasioned owing to the reasons stated in the application. He further submitted that the applicants/claimants undertake to waive the interest for the delayed

period, if the appeal for enhancement is allowed.

4. Mr. Rahul K. Dave, learned Assistant Government Pleader appearing on behalf of respondent no.3 submitted that considering the facts and circumstances, the appropriate order may be passed.

5. Having considered the submissions of the learned counsels for the parties 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 claimants 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.

6. Registry is directed to reflect the name of Mr. Rahul K. Dave, learned Assistant Government Pleader for respondent no.3 in the cause title of First Appeal.

HARSHIT

(MOOL CHAND TYAGI, J)