

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 2415 of
2026****In F/CROSS OBJECTION/8145/2026
In R/FIRST APPEAL/3172/2025**

=====

PRAJAPATI VALJIBHAI JETHABHAI
Versus
NEW INDIA ASSURANCE CO LTD. & ORS.

=====

Appearance:

MR MAYUR RAJGURU(1198) for the Applicant(s) No. 1
VEDANT J RAJGURU(9375) for the Applicant(s) No. 1
LEEN K DAVE(9559) for the Respondent(s) No. 5
MR RITURAJ M MEENA(3224) for the Respondent(s) No. 1

=====

CORAM:HONOURABLE MR.JUSTICE MOOL CHAND TYAGI**Date : 11/06/2026****ORAL ORDER**

1. Heard learned advocate for the applicant. Noticing the limited prayer sought for in the present application, the same is taken up for hearing at admission stage without issuance of notice upon the respondents.
2. Present application is preferred under Section 5 of the Limitation Act read with Section 173 of the Motor Vehicles Act praying for condonation of delay of 97 days caused in preferring F/CROSS OBJECTION/8145/2026.
3. Learned advocate for the applicant - original claimant has relied upon the averments made in the instant application and submitted that the F/CROSS OBJECTION/8145/2026 could not be presented within the prescribed period of limitation. He 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.

4. Considering the aforesaid submissions advanced by the learned advocate for the applicant and in view of the law laid down by the Hon'ble Apex Court in the case of ***Collector, Land Acquisition, Anantnag & Anr. v. MST. Katiji & Ors. [AIR 1987 SC 1353]***, and having regard to the grounds pressed into service for condonation of delay, in my considered view, constitutes sufficient cause to condone the delay in preferring F/CROSS OBJECTION/8145/2026, hence, the present application deserves to be allowed and is accordingly allowed. No order as to costs.

5. Registry is directed to take necessary steps to reflect the name of Mr. Rituraj Meena, learned advocate for respondent No.1, in the Cross Objections.

ARUN

(MOOL CHAND TYAGI, J)