

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 2269 of
2025****In F/FIRST APPEAL NO. 12329 of 2025**

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BHARATBHAI NARSHIBHAI GHODASARA & ANR.**Versus****THE BAJAJ GENERAL INSURANCE COMPANY LTD & ORS.**

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Appearance:**MR TUSHAR L SHETH(3920) for the Applicant(s) No. 1,2****DS AFF.NOT FILED (R) for the Respondent(s) No. 1,2,3,4,5**

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CORAM:HONOURABLE MR. JUSTICE A.Y. KOGJE**and****HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA****Date : 11/06/2025****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE A.Y. KOGJE)**

1. The First Appeal is preferred by the Driver and the owner of the vehicle in question against the judgment and award dated 30-11-2024 passed by Motor Accident Claim Tribunal (Main), Junagadh in M.A.C.P. No.69 of 2021.

2. The Appeal was preferred with delay, which has remained unregistered and hence, separate application for condoning the delay of 40 days was filed, wherein this Court has issued Rule making it returnable today.

3. When the matter is taken up, learned Advocate has placed on record the Order below Exh.-1 dated 09-05-2025 by MACT (Main), Junagadh in MAC Execution Petition No.10/2025 indicating that on account of compromise arrived at between the parties concerned, Execution stands satisfied and accordingly, Execution Petition has been disposed of as withdrawn.

4. Learned Advocate submits that now no cause of action would survive even for the claimants against present appellants. Therefore, at this stage, learned Advocate for the applicants does not press for present application for condoning the delay of 40 days in preferring the Appeal. It is observed that as the matter has appeared at the stage prior to registration of First Appeal and even at that stage, as per learned Advocate, the Court fees have already been deposited with the Registry of the Court, the Court observes that the applicants / appellants are entitled to full refund of the Court fees.

5. In view of the aforesaid, *present application stands disposed of.*

(A.Y. KOGJE, J)

(NSSG,J)

PARESH SOMPURA

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: PARESHKUMAR SOMPURA(HC00451), Principal Pvt Secretary, at High Court of Gujarat on 12/06/2025 11:02:02