

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 2380 of
2025

In F/FIRST APPEAL NO. 12726 of 2025

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CHOLAMANDALAM MS GENERAL INSURANCE CO LTD MEHSANA
Versus
PRAVINSINH DANSINH CHAUHAN & ORS.

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Appearance:

MASUMI V NANAVATY(9321) for the Applicant(s) No. 1
MR VIBHUTI NANAVATI(513) for the Applicant(s) No. 1
MR JM BAROT(143) for the Respondent(s) No. 2,3,4,5,6
RULE SERVED for the Respondent(s) No. 1

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CORAM:HONOURABLE MS. JUSTICE NISHA M. THAKORE

Date : 02/09/2025

ORAL ORDER

1. Heard Ms. Masumi V. Nanavaty, learned advocate on record for the applicant-Insurance Company.
2. Pursuant to the notice issued by this Court vide order dated 30.04.2025, learned advocate Mr. J.M. Barot has entered appearance for and on behalf of respondent nos.2 to 6. Though, duly served, no appearance has been entered on behalf of respondent no.1. Considering the number of days of delay involved, the present application is taken up for hearing, in absence of the said respondent, with the assistance of learned advocates on record for the respective parties.

3. The present application is filed under Section 5 of the Limitation Act, 1963, read with Section 173(1) of the Motor Vehicles Act, 1988, praying for condonation of delay of 27 days caused in preferring the appeal.

4. Considering the submissions made by learned advocate for the applicant and in light of the averments made in the application, in absence of any objection being raised by learned advocate on record for the respondent nos.2 to 6, this Court is inclined to accept the aforesaid submissions to be a sufficient cause for the purpose of considering the prayer for condonation of delay. Hence, the delay of 27 days caused in preferring the appeal, is hereby condoned. The Civil Application is **allowed**, and stands disposed of. Rule is made absolute to the aforesaid extent.

5. Registry is directed to reflect the name of learned advocate Mr. J.M. Barot appearing for respondent nos.2 to 6 in the main First Appeal.

SUYASH SRIVASTAVA/SFS/02/09

(NISHA M. THAKORE,J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: SUYASH KUMAR SRIVASTAVA(HC01570), PRIVATE SECRETARY, at High Court of Gujarat on 02/09/2025 18:37:57