

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 6100 of
2025
In F/FIRST APPEAL/33769/2025

=====

MAHESHKUMAR MAGANBHAI PATEL

Versus

IFFCO TOKIO GENERAL INSURANCE CO. LTD. & ORS.

=====

Appearance:

MR H M SHAH(3997) for the Applicant(s) No. 1

DR. KHUSHBU P VYAS(7040) for the Respondent(s) No. 2

MR. ALKESH N SHAH(3749) for the Respondent(s) No. 1

NOTICE SERVED for the Respondent(s) No. 3,4

=====

CORAM: HONOURABLE MR. JUSTICE MOOL CHAND TYAGI

Date : 02/04/2026

ORAL ORDER

1. The present application has been preferred seeking condonation of delay of 1128 days caused in preferring the appeal against the impugned judgment and award dated 30.06.2022 passed by the learned Motor Accidents Claim Tribunal (Aux.-VI), at Mahesana, in M.A.C.P. No. 231 of 2015.

2. It has been averred in the instant application that a delay of 1128 days has occasioned in preferring the appeal, as the lawyer who has been engaged before the learned Tribunal did not appear before the learned Tribunal to contest the Claim Petition, and he has not intimated about the passing of the impugned judgment and award in time. It is further averred in the Claim Petition that the applicant came to know about the passing of the impugned judgment and award subsequently and thereafter, preferred the appeal along with the application for condonation of delay. It is further averred that the delay is neither

intentional nor malafide, but has occasioned owing to the reasons mentioned in the instant application.

3. Mr. Shah, learned advocate for respondent No.1 and Ms. Vyas, learned advocate appearing on behalf of respondent No.2 submitted that considering the facts and circumstances of the case, an appropriate order may be passed.

4. Having considered the averments made in the present application and having regard to the ground for delay pressed into service, in my considered opinion, constitutes a sufficient ground for condoning the delay. Accordingly, the delay of 1128 days occasioned in preferring the appeal is condoned.

5. Accordingly, the present Civil Application stands allowed. There shall be no order as to costs.

6. Registry is directed to take necessary steps to reflect the names of Mr. Shah, learned advocate for respondent No.1 and Ms. Vyas, learned advocate appearing on behalf of respondent No.2, in the First Appeal.

(MOOL CHAND TYAGI, J)

ARUN

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: ARUN B(HC02368), ENGLISH STENO GRADE-II, at High Court of Gujarat on 07/04/2026 16:29:38