

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 6123 of
2025
In F/FIRST APPEAL/37634/2025

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MINOR YASHRAJSINH MAHENDRASINH PARMAR THROUGH
RATANSINH FATESINH PARMAR & ORS.

Versus

CHHIDAKHAN SARALIKHAN PATHAN & ORS.

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Appearance:

NISHIT A BHALODI(9597) for the Applicant(s) No. 1,2,3

DELETED for the Respondent(s) No. 3

MR CHIRAYU A MEHTA(3256) for the Respondent(s) No. 2

MR DAXESH D BAROT(13149) for the Respondent(s) No. 1

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CORAM: HONOURABLE MR. JUSTICE MOOL CHAND TYAGI

Date : 16/03/2026

ORAL ORDER

1. The captioned application has been preferred seeking condonation of delay of 961 days caused in preferring the appeal against the impugned judgment and award dated 24.01.2023 passed by the Motor Accident Claims Tribunal(Main), Kheda at Nadiad in Motor Accident Claim Petition No.684 of 2016.

2. Heard learned advocates for the parties.

3. Learned advocate for the applicants submitted that the delay of 961 days has occasioned in preferring the Appeal against the impugned judgment and award as the applicants were not known about the nuances of the law. He further submitted that the delay is neither intentional nor malafide but has occasioned owing to the reasons as stated in the application.

He further submitted that the applicants shall not claim any interest for the entire delayed period.

4. On the other hand, learned advocates Mr. Chirayu A. Mehta appearing on behalf of the respondent no.2 and Mr. Daxesh D. Barot appearing on behalf of the respondent No.1, submitted that considering the facts and circumstances of the present case, appropriate order may be passed.

5. Having considered the submissions of the learned advocates for the parties and having regard to the ground for delay pressed into service, I am of the view, constitutes the sufficient cause to condone the delay. Hence, the delay is condoned on the condition that the applicant shall not be entitled for interest for the delayed period, in the eventuality, if the appeal for enhancement is allowed. No order as to costs.

6. In view of the above, the captioned application is disposed of.

7. Registry is directed to reflect the name of the learned advocates Mr. Chirayu A. Mehta for the respondent no.2 and Mr. Daxesh D Barot for the respondent No.1 in the cause title of the First Appeal.

CDP

(MOOL CHAND TYAGI, J)