

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/CIVIL APPLICATION (FOR CONDONATION OF DELAY) NO. 6219 of
2025
In F/FIRST APPEAL/38501/2025

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SAMIRHUSEN YASINMIYA MALEK
Versus
GUJARAT STATE ROAD TRANSPORT CORPORATION & ANR.

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Appearance:
MR.HIREN M MODI(3732) for the Applicant(s) No. 1
MS SEJAL K MANDAVIA(436) for the Respondent(s) No. 1
NOTICE SERVED for the Respondent(s) No. 2

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CORAM:HONOURABLE MR.JUSTICE MOOL CHAND TYAGI

Date : 13/03/2026

ORAL ORDER

1. The present application has been preferred for seeking condonation of delay of 42 days caused in preferring the appeal against the impugned judgment and award dated 28.07.2025 passed by the learned Motor Accidents Claim Tribunal (Main), Kheda at Nadiad, in M.A.C.P. No. 598 of 2024.
2. Heard learned counsels for the parties.
3. Learned advocate for the applicant submitted that delay of 42 days has occasioned in preferring the appeal, owing to the poverty of the applicants, as they could not arrange the necessary Court Fee and other expenses to prefer the appeal within the period of limitation. He further submitted the delay is neither intentional nor malafide, but has occasioned owing to the reasons mentioned in detail at para no. 6 of the instant application.

4. On the other hand, learned counsel appearing for respondent No.1 submitted that considering the facts and circumstances of the case, an appropriate order may be passed.

5. Having considered the submissions advanced by the learned advocate for the parties 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 42 days occasioned in preferring the appeal is condoned.

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

7. Registry is directed to take necessary steps to reflect the name of Ms. Sejal K. Mandavia, learned advocate for respondent No.1, in the First Appeal.

ARUN B

(MOOL CHAND TYAGI, J)