**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD**

**THE HON'BLE SRI JUSTICE NAGESH BHEEMAPAKA**

**I.A. No. 2 of 2025**

**In/And**

**M.A.C.M.A. No. 564 of 2025**

**20th November, 2026**

**Between:**

G. Chandrakala, w/o Late Maisaiah, and others

… Petitioners

**AND**

APSRTC, and another

… Respondents

**COMMON JUDGMENT:**

I.A. No. 2 of 2025 has been filed by the claimants in M.V.O.P. No. 3019 of 2014, on the file of the Motor Accident Claims Tribunal-cum-Chief Judge, City Civil Court, Hyderabad, seeking condonation of the delay of 2,660 days in filing the appeal against the award passed by the Tribunal in the said claim petition. MACMA No. 564 of 2025 has been filed by the claimants, being aggrieved by the quantum of compensation awarded by the Tribunal.

**2.** Heard Ms. B. Roja Ramani, learned counsel for the petitioners/claimants, and Mr. K. Srinivasa Rao, learned Standing Counsel for the respondents-TGSRTC. Perused the record. For the sake of convenience, the parties shall hereinafter be referred to as the claimants and TGSRTC, respectively.

**3.** Learned counsel for the claimants would essentially contend that the advocate who represented the claimants before the Tribunal had not properly advised them regarding the provision of appeal and further legal remedies available to them in accordance with law and, therefore, there was a delay of 2,660 days in filing the appeal. With regard to the merits of the appeal, learned counsel contends that the deceased was working as a stone crusher and that the Tribunal had assessed his notional income at Rs.5,000/- per month for the purpose of calculating compensation. It is contended that the said assessment of monthly notional income is very low and, therefore, warrants enhancement. Learned counsel relies on **Sandhya Rani Debbarma v. National Insurance Company Ltd.**[1]

**4.** At the outset, it is to be noted that, ordinarily, in motor accident cases, a certain degree of liberal approach is adopted while considering applications seeking condonation of delay. However, such a liberal approach cannot be stretched beyond reasonable limits so as to accommodate every kind of ground merely because the Motor Vehicles Act is a beneficial legislation. The beneficial object of the legislation is intended to protect genuine cases where the delay has occurred on account of reasonable grounds.

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[1] (2016) 16 SCC 206

**4.1.** In the instant case, the only ground discernible from the record is that the advocate who represented the claimants before the Tribunal had not properly advised them regarding the provisions relating to an appeal. There is a delay of 2,660 days, i.e., approximately seven years and 104 days. The claimants were represented by an advocate before the Tribunal and, therefore, the only logical presumption would be that they had the benefit of legal advice and counsel in the matter. Therefore, merely because a new counsel has entered appearance at the appellate stage, the ground sought to be urged, namely, that the previous advocate who represented the claimants before the Tribunal had not properly advised them regarding the remedy of appeal, cannot be countenanced.

**4.2.** In **Sandhya Rani Debbarma (supra)**, there was a delay of 2,824 days in filing the appeal before the Hon'ble Supreme Court challenging the orders passed by the learned Single Judge of the High Court. However, in the said case, the Hon'ble Supreme Court observed that the delay was due to the appellants/claimants erroneously pursuing the matter by filing an appeal before the Division Bench of the High Court instead of filing an appeal before the Supreme Court. Therefore, considering the bona fide reason for the delay, the Hon'ble Supreme Court condoned the delay.

**4.3.** In the instant case, there is an inordinate delay of over seven years, without there being any sufficient grounds or compelling reasons to explain such delay, except for the reason that the claimants were not advised by the previous advocate who represented them before the Tribunal. The grounds pleaded in support of the application for condonation of delay of 2,660 days are neither plausible nor convincing,

and, therefore, the application is liable to be dismissed. Consequently, the appeal fails at the threshold on the ground of delay.

**5.** In view of the foregoing discussion, I.A. No. 2 of 2025 is dismissed. Consequently, the appeal also stands dismissed. No order as to costs. Miscellaneous petitions, if any, pending in the appeal shall stand closed.

**JUSTICE NAGESH BHEEMAPAKA**

**20th November, 2026**

ksm

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