

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/SPECIAL CIVIL APPLICATION NO. 8124 of 2026

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FIROZBHAI AMIBHAI GHANCHI
Versus
TATA A.I.G INSURANCE COMPANY LTD,

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Appearance:
MS KOMAL K TRIVEDI(12176) for the Petitioner(s) No. 1

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CORAM:HONOURABLE MR. JUSTICE NIRZAR S. DESAI

Date : 06/07/2026

ORDER

1. Learned advocate Mr. Kumar H. Trivedi, at the outset, submits that the petitioner has challenged the order dated 18.03.2026 passed by the State Consumer Disputes Redressal Commission in Miscellaneous Application No. 564 of 2025 before the wrong forum, i.e. this Court. He submits that, by the impugned order, the Commission has refused to condone the delay of 472 days in preferring the appeal and, therefore, the petitioner is required to approach the National Consumer Disputes Redressal Commission.

2. Under the instructions of the petitioner, learned advocate Mr. Kumar H. Trivedi seeks permission to withdraw the present petition with a view to approaching the National Consumer Disputes Redressal Commission. He, however,

requests that this Court may observe that the petitioner had approached this Court under the bona fide impression that the present petition was maintainable before this Court and, therefore, had approached the wrong forum. He further submits that the National Commission may be permitted to consider the aforesaid aspect while dealing with the petitioner's application challenging the impugned order.

3. Needless to state that the petitioner has approached the wrong forum and, prima facie, it appears that the same was done under a bona fide act on the part of the petitioner. Therefore, if any proceedings are initiated before the appropriate forum, it will be open for the petitioner to place the aforesaid facts before such forum. The appropriate forum shall consider the same in accordance with law.

4. With the aforesaid observations, the petition is disposed of as withdrawn. It is clarified that this Court has not examined the merits of the matter.

BHAVIN MEHTA

(NIRZAR S. DESAI,J)