

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 1243 of 2022**

**With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2022
In R/FIRST APPEAL NO. 1243 of 2022**

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THE NEW INDIA ASSURANCE CO LTD

Versus

MANIBEN WD/O MOHANBHAI PARSOTBHAI PATEL

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Appearance:

MS E.SHAILAJA(2671) for the Appellant(s) No. 1
for the Defendant(s) No. 1,2,3,4,5

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CORAM: HONOURABLE MS. JUSTICE GITA GOPI

Date : 07/07/2022

ORAL ORDER

Ms. E. Shailja, learned advocate for the appellant submitted that the observations of the tribunal with regard to the licence is contrary to the evidence on record at Exh.75 which clearly reflects that the driving licence had expired since long and that the driver was not holding valid licence on the date of the accident.

Considering the aforesaid submissions, **the appeal is admitted.**

(GITA GOPI,J)

ORDER IN CIVIL APPLICATION NO. 1 OF 2022.

Rule returnable on 25.08.2022.

In the meanwhile, by way of ad-interim relief, the operation, implementation and execution of the impugned judgment and award shall remain stayed on condition that the applicant-Insurance Company deposits the entire award amount before the Tribunal concerned before the returnable date.

A.M.A. SAIYED

(GITA GOPI,J)