

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/FIRST APPEAL NO. 2384 of 2025**

**With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2025
In R/FIRST APPEAL NO. 2384 of 2025**

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NEW INDIA ASSURANCE CO. LTD.

Versus

VILASBEN RAJENDRABHAI PATEL & ORS.

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Appearance:

MANDEEP SINGH SALUJA(8791) for the Appellant(s) No. 1

NISHIT A BHALODI(9597) for the Defendant(s) No. 1,2,3,4

RULE NOT RECD BACK for the Defendant(s) No. 5

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CORAM:HONOURABLE MS. JUSTICE NISHA M. THAKORE

Date : 21/08/2025

ORAL ORDER

1. Learned advocate Mr. Mandeep Singh Saluja for the applicant under the instructions submitted that the entire award amount as directed by this Court vide order dated 10.07.2025 has been deposited with the concerned Tribunal. He has therefore, urged this Court to confirm the ad-interim relief granted by this Court pending the appeal.

2. Learned advocate for the respondent- original claimant has urged this Court to issue appropriate directions for release and disbursement of the award amount since amount has been deposited.

3. Considering the aforesaid submissions of the learned advocate for the parties, the interim relief granted earlier stands confirmed till the final disposal of the appeal. However, since the appeal is admitted and hearing the appeal

may take few years, and on other hand claimants having successfully established claim, in order to strike out the balance, it would be appropriate to release part of the amount deposited, at this stage.

4. Hence, the Tribunal is directed to release 30% of the deposited award amount in favour of the opponent- original claimant, subject to due verification, through recognized RTGS / NEFT mode. The remaining 70% of the deposited award amount is directed to be invested in the **non cumulative** Fixed Deposit with any Nationalized Bank initially for a period of 5 years which may be renewed from time to time till the final disposal of the appeal. The original FDRs are directed to be retained by Nazir Branch of the concerned Tribunal. It is further directed that no loan or any advance or withdrawal of the amount from the aforesaid Fixed Deposits shall be allowed without prior permission of this Court. The original claimants shall be entitled to receive periodical interest which may accrue on such Fixed Deposit.

6. With these observations, present Civil Application stands disposed of.

Order in First Appeal:

Appeal is admitted. Mr. Bhalodi, learned advocate waives service of admission on behalf of respondents - original claimants.

(NISHA M. THAKORE,J)

RATHOD KAUSHIKSINH

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: KAUSHIKSINH JILUSINH RATHOD(HC00957), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 25/08/2025 18:37:46