

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 1695 of 2026****With****CIVIL APPLICATION (FOR STAY) NO. 1 of 2026****In R/FIRST APPEAL NO. 1695 of 2026****=====**
RELIANCE GENERAL INSURANCE COMPANY LIMITED, MEHSANA**Versus****SUNIL A. KUSHVAH & ORS.**
=====**Appearance:****MASUMI V NANAVALTY(9321) for the Appellant(s) No. 1****MR VIBHUTI NANAVALTY(513) for the Appellant(s) No. 1****MR A R DWIVEDI(11319) for the Defendant(s) No. 3,5****MR R G DWIVEDI(6601) for the Defendant(s) No. 3,5**
=====**CORAM: HONOURABLE MR. JUSTICE ILESH J. VORA****and****HONOURABLE MR. JUSTICE R. T. VACHHANI****Date : 09/06/2026****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE ILESH J. VORA)****ORDER IN FIRST APPEAL:****ADMIT.****ORDER IN CIVIL APPLICATION:**

1. Considering the submission made by the applicant in the First Appeal having been admitted by this Court, has prayed for stay on the execution, operation and implementation of the impugned judgment and award dated 27.10.2025 passed in M.A.C.P. No.14 of 2021 by MAC Tribunal (Aux) at Mehsana on usual terms and conditions.

2. Against which, learned Advocate for the respondents does not raise any serious contentions.

3. Hence, present application is partly allowed with the directions as under:

(i) The applicant - Insurance company is directed to deposit the awarded amount with interest and proportionate cost as directed by the MAC Tribunal within 4 weeks from today.

(ii) On insurance company depositing such amount, the Court permits the original claimants to withdraw 30% of total deposited amount as per their respective shares, as granted in the impugned judgment and award passed by the Tribunal.

(iii) 70% of the amount thus deposited be invested in any nationalized Bank in non-cumulative Fixed Deposit Receipt (FDR) in the name of the original claimants as per their respective shares decided by the Tribunal, which shall be renewed from time to time till final disposal of the appeal.

(iv) Respondents are entitled to receive the periodical interest on the aforesaid FDRs. The copy of original FDRs, shall be retained by Nazir of Tribunal.

(v) Subject to aforesaid condition of deposit of such awarded amount, there shall be stay of the operation and implementation of the impugned judgment and award pending the appeal.

4. In view of the above, Civil Application is partly allowed.

(ILESH J. VORA, J)

(R. T. VACHHANI, J)

P.S. JOSHI