

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/FIRST APPEAL NO. 2358 of 2006****With****R/FIRST APPEAL NO. 2452 of 2006****With****R/FIRST APPEAL NO. 2349 of 2021****With****R/FIRST APPEAL NO. 3373 of 2021****With****CIVIL APPLICATION (FOR PRODUCTION OF ADDITIONAL EVIDENCES)****NO. 2 of 2021****In R/FIRST APPEAL NO. 3373 of 2021****With****R/FIRST APPEAL NO. 3374 of 2021****With****CIVIL APPLICATION (FOR PRODUCTION OF ADDITIONAL EVIDENCES)****NO. 2 of 2021****In R/FIRST APPEAL NO. 3374 of 2021****With****R/FIRST APPEAL NO. 3375 of 2021****With****CIVIL APPLICATION (FOR PRODUCTION OF ADDITIONAL EVIDENCES)****NO. 2 of 2021****In R/FIRST APPEAL NO. 3375 of 2021****With****R/FIRST APPEAL NO. 3376 of 2021****With****CIVIL APPLICATION (FOR PRODUCTION OF ADDITIONAL EVIDENCES)****NO. 2 of 2021****In R/FIRST APPEAL NO. 3376 of 2021****With****R/CROSS OBJECTION NO. 196 of 2022****In****R/FIRST APPEAL NO. 3375 of 2021****With****R/CROSS OBJECTION NO. 197 of 2022****In****R/FIRST APPEAL NO. 3374 of 2021**

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**THE NEW INDIA ASSURANCE CO. LTD.****Versus****HEIRS OF DECD. NARESH VINODRAI KHAJURIYA & ORS.**

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**Appearance:****MR VIBHUTI NANAVATI(513) for the Appellant(s) No. 1****MR AMAR D MITHANI(484) for the Defendant(s) No. 1.1,1.2,1.3,1.4,1.5****MS MEGHA JANI(1028) for the Defendant(s) No. 3****RULE SERVED for the Defendant(s) No. 4,5****RULE UNSERVED for the Defendant(s) No. 2**

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**CORAM: HONOURABLE MS. JUSTICE SANGEETA K. VISHEN**

and  
**HONOURABLE MS. JUSTICE NISHA M. THAKORE**

**Date : 17/12/2025**

**ORAL ORDER**  
**(PER : HONOURABLE MS. JUSTICE SANGEETA K. VISHEN)**

In view of the leave-note filed by Mr.Vibhuti Nanavati, learned Advocate and sick-note filed by Mr.Sunil Parikh, learned Advocate, list the matter on 21.01.2026.

**(SANGEETA K. VISHEN,J)**

**(NISHA M. THAKORE,J)**

SINDHU NAIR

Original copy of this order has been signed by the Hon'ble Judges.  
Digitally signed by: SINDHU UNNIKRIISHNAN NAIR(HC01395), PRIVATE SECRETARY, at High Court of Gujarat on 18/12/2025 12:00:24