

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 833 of 2024****With****CIVIL APPLICATION (FOR STAY) NO. 1 of 2024****In R/FIRST APPEAL NO. 833 of 2024**

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BAJAJ ALLIANZ GENERAL INSURANCE COMPANY LIMITED**Versus****SHAILESHBHAI ATMARAM PRAJAPATI & ORS.**

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Appearance:**MASUMI V NANAVATY(9321) for the Appellant(s) No. 1****MR VIBHUTI NANAVATI(513) 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 : 04/03/2024****ORAL ORDER****Order in Appeal:-**

Over and above the other grounds raised in the appeal memo, learned advocate appearing for the appellant states that the deceased was overtaking the vehicle and it got slipped and it is not the case of any vehicular accident. In spite of that, liability has been wrongly laid down on the insurance company.

Considering the submissions made, ADMIT.

Order in Civil Application:-

Rule returnable on 18.4.2024.

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 deposits the ordered awarded amount before the Tribunal concerned before the returnable date.

Maulik

(GITA GOPI,J)