

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 3398 of 2025****With****CIVIL APPLICATION (FOR STAY) NO. 1 of 2025****In R/FIRST APPEAL NO. 3398 of 2025**

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THE NEW INDIA ASSURANCE CO. LTD.**Versus****KUMODBEN W/O SOHANBHAI SWAMI & ORS.**

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Appearance:**MR SUNIL B PARIKH(582) for the Appellant(s) No. 1**

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CORAM: HONOURABLE MS. JUSTICE SANGEETA K. VISHEN**and****HONOURABLE MS. JUSTICE NISHA M. THAKORE****Date : 23/09/2025****ORAL ORDER****(PER : HONOURABLE MS. JUSTICE SANGEETA K. VISHEN)****Order in First Appeal:**

Mr Sunil B. Parikh, learned advocate for the appellant submitted that the claim, is restricted to Rs.30 lac. It is submitted that the learned Tribunal, erred in considering the salary-slip, Exh.51, and the reimbursements, ought not to have been considered as part of the salary/income.

Admit.

Order in Civil Application:

Heard Mr Sunil B. Parikh, learned advocate for the applicant.

Issue rule, returnable on 20.11.2025. Let there be stay of the operation, implementation and execution of the judgment dated

19.09.2024 passed in Motor Accident Claim Petition no.936 of 2016 by the learned 4th Additional District Judge & Motor Accident Claims Tribunal (Auxillary), Ahmedabad (Rural), on condition that the applicant – appellant, deposits the entire awarded amount together with interest by the next date of hearing.

(SANGEETA K. VISHEN,J)

(NISHA M. THAKORE,J)

BINOY B PILLAI

Original copy of this order has been signed by the Hon'ble Judges.
Digitally signed by: BINOY BALAKRISHNA PILLAI(HC00183), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 23/09/2025 16:36:02