

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/FIRST APPEAL NO. 3608 of 2025**

With  
**CIVIL APPLICATION (FOR STAY) NO. 1 of 2025**  
**In R/FIRST APPEAL NO. 3608 of 2025**

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KHERALU NAGARPALIKA

Versus

SPL LAQ OFFICER CUM DY COLLECTOR & ORS.

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Appearance:

MR MEHUL H RATHOD(701) for the Appellant(s) No. 1  
 DECEASED LITIGANT THROUGH LEGAL HEIRS/ REPRESENTATIVES  
 for the Defendant(s) No. 2  
 MR.PARTH PATEL, AGP for the Defendant(s) No. 1

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CORAM:**HONOURABLE MRS. JUSTICE M. K. THAKKER**

Date : 20/01/2026

**ORAL ORDER**

**ORDER IN FIRST APPEAL**

Learned advocate for learned advocate Mr.Mehul Rathod submits that the cognate appeals are admitted by this Court vide order dated 18.08.2025.

In view of the above, **Admit.**

To be heard with First Appeal No.2322 of 2025.

**ORDER IN CIVIL APPLICATION:**

1. Heard learned advocate Mr.Jinesh Kapadia for the claimants.
2. It is submitted by learned advocate for learned advocate

Mr.Mehul Rathod that 100% of the awarded amount is deposited before the learned reference court. The communication produced by learned advocate Mr.Mehul Rathod be taken on record.

3. Learned advocate Mr.Jinesh Kapadia submits that if 50% of the total awarded amount is disbursed in favour of the claimant, ends of justice would meet.
4. Per contra, learned advocate Mr.Rathod has opposed this application.
5. Considering the averments made in the application, in the opinion of this Court, ends of justice would meet if 50% amount is disbursed in favour of the applicant, after due verification by learned Court below.
6. In that background, this application for stay is disposed of with direction that 50% of the total awarded amount be disbursed in favour of the claimants and remaining 50% amount be invested in Fixed Deposit in nationalized bank which would fetch higher interest. The receipt of such fixed deposit shall remain with the nazir of the concerned court. In view of above, this application is allowed.
7. The applicants shall file an undertaking before the

learned reference court to the effect that in the event the State succeeds in the appeal before this Court, the amount shall be returned with interest.

ARCHANA S. PILLAI

**(M. K. THAKKER,J)**

Original copy of this order has been signed by the Hon'ble Judge.  
Digitally signed by: ARCHANA SAJEEVKUMAR PILLAI(HC01899), PRIVATE SECRETARY, at High Court of Gujarat on 21/01/2026 11:03:02