

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 2147 of 2026**

With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2026
In R/FIRST APPEAL NO. 2147 of 2026

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SUNIL KHIMAJI SHAH

Versus

LEGAL HEIRS OF DECD. ABDULKARIM JUNAS LUHAR & ORS.

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Appearance:

MR HARSHIT S BHATT(12874) for the Appellant(s) No. 1

RULE NOT RECD BACK for the Defendant(s) No. 4,6

RULE SERVED for the Defendant(s) No. 1.1,1.2,1.3,1.4,1.5,3,7

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CORAM:HONOURABLE MR.JUSTICE MOOL CHAND TYAGI

Date : 30/07/2026

ORAL ORDER

ORDER IN FIRST APPEAL:-

ADMIT.

ORDER IN CIVIL APPLICATION:-

1. Learned advocate for the applicant submitted that the applicant is ready and willing to deposit 100% of the awarded amount subject to outcome of the captioned appeal.

2. In view of the statement made by learned advocate for the applicant, the execution, implementation and operation of the impugned award is stayed on depositing of 100% of the awarded amount before the concerned learned Tribunal

within a period of four weeks from today.

3. Upon depositing of the said amount, the Tribunal is directed to release 30% of the awarded amount in favour of the original claimant/s, after due verification, through recognized RTGS / NEFT mode.

4. The remaining 70% of the deposited award amount is directed to be invested in cumulative Fixed Deposit with any Nationalized Bank initially for a period of 5 years which may be renewed from time to time till the final disposal of the appeal. The original FDRs are directed to be retained by Nazir Branch of the concerned Tribunal.

5. It is further directed that no loan or advance against the aforesaid Fixed Deposits shall be allowed without prior permission of this Court.

With these observations, the present Civil Application stands ***disposed*** of.

(MOOL CHAND TYAGI, J)

GIRISH