

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/FIRST APPEAL NO. 3003 of 2025

**With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2025
In R/FIRST APPEAL NO. 3003 of 2025**

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NEW INDIA ASSURANCE COMPANY LIMITED

Versus

GUNVANTBHAI ARJANBHAI PATEL & ORS.

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Appearance:

MR RITURAJ M MEENA(3224) for the Appellant(s) No. 1

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CORAM:HONOURABLE MR.JUSTICE MOOL CHAND TYAGI

Date : 25/09/2025

ORAL ORDER

ORDER IN FIRST APPEAL:-

Issue NOTICE to the respondents, returnable on 16.02.2026.

Learned advocate waives service of Notice on behalf of the respondent nos.1 to 3.

Registry is directed to issue the Notice qua respondent no.4 and 5.

ORDER IN CIVIL APPLICATION:-

Heard learned advocate for the applicant. Learned advocate for the applicant submits that the applicant is ready and willing to deposit 100% of the awarded amount.

In view of the statement of learned advocate for the applicant, the execution, implementation and operation of the award is stayed subject to deposit of 100% of the awarded amount before the learned Tribunal within a period of six weeks from today. Upon depositing of the said amount, the Tribunal is directed to release 30% of the deposited awarded amount in favour of the original claimant, after due verification, through recognized RTGS / NEFT mode. The remaining 70% of the deposited award amount is directed to be invested in the 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. It is further directed that no loan or advance against the aforesaid Fixed Deposits shall be allowed without prior permission of this Court, however, original claimant shall be entitled to receive periodical interest which may accrue on such Fixed Deposit.

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

(MOOL CHAND TYAGI, J)

CDP