

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 3718 of 2025**

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THE ORIENTAL INSURANCE COMPANY LTD
Versus
JALAMSINH UDAYSINH CHAUHAN & ORS.

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Appearance:

MR PALAK H THAKKAR(3455) for the Appellant(s) No. 1
MR. ABHISHEK N. MONAPARA(14070) for the Defendant(s) No. 1,2
MR.KEYUR JALDEEP SHAH(14552) for the Defendant(s) No. 1,2
NOTICE SERVED for the Defendant(s) No. 3

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CORAM:HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR**Date : 09/01/2026****ORAL ORDER**

The appeal has been filed on the ground of liability, contending that the deceased was travelling in a goods vehicle. It is further contended that an earlier claim petition had been filed and later withdrawn, and subsequently, after changing stand, another petition was filed. However, in the earlier claim petition, there was no averment whatsoever that the deceased was travelling in the goods vehicle as a representative of the goods.

Considering the said contradictory pleading, appeal deserves consideration. Hence, **Admit.** Mr. Monapara, learned counsel waives service of notice of admission for respondent Nos.1 and 2.

(HASMUKH D. SUTHAR,J)

SUCHIT