

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 3128 of 2026****With****CIVIL APPLICATION (FOR STAY) NO. 1 of 2026****In****R/FIRST APPEAL NO. 3128 of 2026**

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INDUSIND GENERAL INSURANCE CO. LTD. (FORMERLY
RELIANCE GENERAL INSURANCE CO. LTD.)

Versus**HITESH BIPINCHANDRA BHRAHMBHATT & ORS.**

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Appearance:

MASUMI V NANAVALTY(9321) for the Appellant(s) No. 1

MR VIBHUTI NANAVALTI(513) for the Appellant(s) No. 1

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CORAM: **HONOURABLE MR. JUSTICE A.Y. KOGJE**

and

HONOURABLE MS. JUSTICE NISHA M. THAKORE**Date : 17/07/2026****ORAL ORDER****(PER : HONOURABLE MR. JUSTICE A.Y. KOGJE)**

1. Heard Ms. Masumi V. Nanavaty, learned advocate for the appellant - insurance company.

2. The appeal is ***admitted***.

Order in Civil Application :

1. The present application is filed for following relief:

“(A) Your Lordships may, pending hearing and final

disposal of this First Appeal, be pleased to stay the operation/execution/implementation of the judgment and award dated 13.02.2026 rendered by the learned Motor Accident Claims Tribunal (Aux.) and 10th Additional District Judge, Ahmedabad (Rural) in MACP no.125 of 2022;"

2. Considernig the submission made by the learned advocate for the applicant and the First Appeal having been admitted by this Court, as also the learned advocate for the applicant - appellant is ready and willing to deposit the entire awarded amount before the concerned Tribunal, present application is partly **allowed** with the directions as under:

(i) The applicant - appellant - insurance company is directed to deposit the entire awarded amount with interest and proportionate cost as directed by the **MAC Tribunal (Aux.), Ahmedabad (Rural)** within **four weeks from today**.

(ii) On depositing such amount by the applicant - insurance company, original claimants are permitted to withdraw 30% of total deposited amount as per their respective shares, as granted by the Tribunal in **Para-5** of the operative award.

(iii) The remaining 70% of the amount deposited, be invested in any nationalized Bank in non-cumulative Fixed Deposit Receipt (FDR) in the name of the original claimants as per their respective shares decided by the Tribunal, which shall be renewed from time to time till final disposal of the appeal.

(iv) The respondents - original claimants are entitled to receive the periodical interest on the aforesaid FDRs. The

copy of original FDRs, shall be retained by Nazir of Tribunal.

(v) Subject to aforesaid condition of deposit of such awarded amount, there shall be stay of the operation and implementation of the impugned judgment and award pending the appeal.

3. In view of the above, ***Civil Application is partly allowed.***

(A.Y. KOGJE, J.)

(NISHA M. THAKORE, J.)

AMAR RATHOD.../sfs/17.07