

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 1600 of 2015****With
CIVIL APPLICATION (FOR STAY) NO. 3 of 2015
In R/FIRST APPEAL NO. 1600 of 2015****=====**
SAMIR SATTARBHAI DERAIIYA
Versus
ARIFSHA GULABSHA QURESHI & ORS.
=====**Appearance:****MR C B UPADHYAYA(3508) for the Appellant(s) No. 1**
DELETED for the Defendant(s) No. 2
HCLS COMMITTEE(4998) for the Defendant(s) No. 1
MR VISHAL B MEHTA(5319) for the Defendant(s) No. 1
MR. ALKESH N SHAH(3749) for the Defendant(s) No. 3
NOTICE SERVED BY DS for the Defendant(s) No. 4
=====**CORAM:HONOURABLE MS. JUSTICE NISHA M. THAKORE****Date : 24/03/2026****ORAL ORDER**

1. When the matter is taken up for hearing, learned advocate Mr. Kuldeep Sodatar has joined on virtual mode on behalf of learned advocate Mr. C.B. Upadhyaya on record for the appellant and has prayed for an adjournment on the ground of personal difficulty of learned advocate on record for the appellant.

2. Learned advocate Ms. Richa Shah has appeared on behalf of Mr. Alkesh N. Shah learned advocate on record for respondent No. 3-Insurance Company.

3. Pursuant to the order dated 18.03.2026, passed by this Court, the learned Principal District Judge, Botad has submitted the details of the status of Motor Accident Claim

Petition being MACP No. 149 of 2008 which was pending consideration initially with the concerned Court at Bhavnagar. It is reported that pursuant to the establishment of the Tribunal at Botad District, the case has been renumbered as MACP No. 9 of 2018 and has thereafter been decided by judgment and order dated 09.05.2023. It is thus, reported that the claim petition has been partly allowed and stands disposed of.

3. Considering the fact that the challenge in the present appeal is confined to the interim orders passed by the Tribunal, prima facie, the present appeal does not survive in view of the final judgment and award being passed in the original claim proceedings however, with a view to enable the learned advocate on record for the appellant to take appropriate instructions with regard to any further challenge being made to the final judgment and award, the matter is adjourned to **25.03.2026**.

4. To be notified in a separate Board.

MARY VADAKKAN

(NISHA M. THAKORE,J)