

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 1756 of 2015****FOR APPROVAL AND SIGNATURE:****HONOURABLE MR.JUSTICE J. L. ODEDRA**

=====

Approved for Reporting	Yes	No

=====

NEW INDIA ASSURANCE CO. LTD.

Versus

HEIRS OF DECD. JIVANBHAI BAGHABHAI KADIYATAR : JETHIBEN
JIVANBHAI & ORS.

=====

Appearance:

MS E.SHAILAJA(2671) for the Appellant(s) No. 1

MR ANKIT SHAH(6371) for the Defendant(s) No. 7

MR RAXIT J DHOLAKIA(3709) for the Defendant(s) No. 1,2,3,4,5

RULE SERVED for the Defendant(s) No. 6,8

=====

CORAM:HONOURABLE MR.JUSTICE J. L. ODEDRA**Date : 07/10/2025****ORAL JUDGMENT**

1. Heard learned advocate Ms. E Shailaja appearing for the appellant – Insurance Company.

2. What could be noticed that the Insurance Company claimed the amount to the tune of Rs. 1,96,750/-. This is a small and meager amount and considering the aspect

of having no dispute in regards to the road accident, I am of the opinion that this appeal may not deserve consideration, more particularly, on the ground of smallness of amount. Accordingly, present first appeal stands dismissed.

3. It is made clear that present first appeal is dismissed on account of smallness of the amount and the order passed by this Court shall not be treated as precedent so as to say that this Court has decided any issue on merit. The whole purpose to dismiss the appeal on account of smallness of amount is with a view to avoid hardship both physically and financially on the part of the original claimant to appear and defend the case. Therefore, this order shall not be cited as precedent in any pending matters arising from same accident before any Court.
4. R & P, if any, to be sent back to the concerned Court immediately.
5. The appellant is at liberty to revive the appeal in case of difficulty. Consequently connected application/s, if any, also stands disposed of.

6. The learned Tribunal is directed to disburse the entire amount to the claimant after due and proper verification. While making the payment, the Tribunal shall deduct the courts fees, if not paid, in accordance with rules/law.

(J. L. ODEDRA, J)

JIGAR J RABARI

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: JIGAR RABARI(HCD0067), ENGLISH STENOGRAPHER GRADE TWO CLASS TWO, at High Court of Gujarat on 07/10/2025 18:38:41