

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 2991 of 2025**

**With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2025
In R/FIRST APPEAL NO. 2991 of 2025**

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CHOLA M.S. GENERAL INSURANCE CO. LTD.

Versus

CHATURABEN PUNABHAI RATHOD & ORS.

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Appearance:

MS KIRTI S PATHAK(9966) for the Appellant(s) No. 1

NISHIT A BHALODI(9597) for the Defendant(s) No. 1,2,3

NOTICE SERVED for the Defendant(s) No. 4,5

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CORAM: **HONOURABLE MR.JUSTICE MOOL CHAND TYAGI**

Date : 06/05/2026

ORAL ORDER

ORDER IN FIRST APPEAL

Record and Proceedings have not been received yet. Registry is directed to call for Record and Proceedings from the concerned Trial Court, so as to reach this Court on or before the next date of hearing.

Stand over to **14/08/2026**.

ORDER IN CIVIL APPLICATION.

Learned counsel appearing on behalf of the applicant submitted that if the awarded amount has not been deposited yet, the same will be deposited within four weeks from the date of receipt of copy of this order.

There shall be stay against the execution, implementation and operation of the impugned award subject to deposit of entire amount of

compensation including the costs and interest as awarded by the Tribunal, with the learned Tribunal concerned.

Upon depositing the said amount, the Tribunal is directed to release 30% of the awarded amount in favour of the original claimant/s, 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, the original claimants shall be entitled to receive periodical interest which may accrue on such Fixed Deposit.

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

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(MOOL CHAND TYAGI, J)