

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 18284 of 2018**=====

NATIONAL INSURANCE COMPANY

Versus

SUREKHABEN PRAVINBHAI PATIL & 5 other(s)

=====

Appearance:

MR DAKSHESH MEHTA(2430) for the Petitioner(s) No. 1

HCLS COMMITTEE(4998) for the Respondent(s) No. 1,2,3,4,6

MR SAURABH M PATEL(5019) for the Respondent(s) No. 2,3,4,6

MR VIRAL V DAVE(3846) for the Respondent(s) No. 1

NOTICE SERVED BY DS for the Respondent(s) No. 5

=====**CORAM:HONOURABLE MS. JUSTICE VAIBHAVI D. NANAVATI****Date : 03/07/2023****ORAL ORDER**

1. Heard Mr. Dakshesh Mehta, the learned advocate appearing for the writ-applicant and Mr. Viral V. Dave, the learned advocate appearing for the respondent No.1.

2. The affidavit dated 27.6.2023 is taken on record. The said affidavit reads thus :-

“AFFIDAVIT OF VIRAL V DAVE (ADVOCATE)

I Viral Vimalbhai Advocate of the respondent no-1 residing atB-101Satar Apartment, Behind Udgam School, Drive in Road, Thaltej, Ahmedabad do hereby solemnly Affirm and state on oath that

(1) *I submits that I am Advocate of the respondent no-1 in Special civil Application no-18284/2018.*

(2) *I submits that in Affidavit of respondents on page no-50 of this petition by mistake, I have written we have deposited rest of amount of Rs 1,25,000 to Hon'ble Court, Surat on or before 31st January 2024 instead of We shall deposit rest of the amount of Rs 1,25,000 to Hon'ble Court, Surat on or before 31st January 2024.*

(3) *I therefore prays before this Hon'ble Court to kindly give me permission to make correction to write shall instead of have in para-6 of affidavit of respondents on page no-50 in affidavit of respondents in this petition.*

(4) *I submits that whatever stated hereinabove is true and correct to the best of my knowledge, information and belief and I believe the same to be true.*

Solemnly Affirmed on 7 day of June 2023 at Ahmedabad.

*Viral Dave
Deponent"*

3. Having heard the learned advocates appearing for the respective parties the amount due and payable at the instance of the writ-applicant herein is since 10.12.2019. Considering the aforesaid aspect, the writ-applicant herein to deposit the remaining amount of Rs.1,25,000/- preferably within a period of four months from the receipt of this order. Affidavit of due

compliance be filed so far as deposit of said amount is concerned before the next date of hearing.

Post the matter on 4.12.2023.

K.K. SAIYED

(VAIBHAVI D. NANAVATI,J)