

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/FIRST APPEAL NO. 3194 of 2024

**With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2024
In R/FIRST APPEAL NO. 3194 of 2024**

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HDFC ERGO GENERAL INSURANCE COMPANY LIMITED

Versus

NAYAK HIRABHAI RAMJIBHAI & ORS.

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Appearance:

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

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

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CORAM:HONOURABLE MR. JUSTICE SANDEEP N. BHATT

Date : 18/09/2024

ORAL ORDER

ORDER IN FIRST APPEAL

ADMIT.

ORDER IN CIVIL APPLICATION

Rule returnable on 21.10.2024.

The operation, execution and implementation of the impugned judgment and award is stayed on condition that the applicant shall deposit entire awarded amount with proportionate costs and interest before the learned Tribunal

concerned, within a period of four weeks from today.

On such deposit being made, the learned Tribunal shall disburse the 30% deposited amount, in favour of the claimant/s, by account payee cheque/NEFT/RTGS after following due procedure and invest the remaining 70% of the amount in non-cumulative Fixed Deposit Receipt in any nationalized bank, to be kept in custody of Nazir, initially for a period of five years, and thereafter, renew the same periodically till disposal of the First Appeal. The periodical interest accrued on the fixed deposit is ordered to be released in favour of the claimants. No encumbrance of any kind shall be created on the said fixed deposit.

(SANDEEP N. BHATT,J)

MAYA