

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/FIRST APPEAL NO. 4609 of 2023
With
R/FIRST APPEAL NO. 486 of 2022
With
CIVIL APPLICATION (FOR PRODUCTION OF ADDITIONAL EVIDENCES)
NO. 2 of 2022
In R/FIRST APPEAL NO. 486 of 2022
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2022
In R/FIRST APPEAL NO. 486 of 2022
With
R/FIRST APPEAL NO. 2687 of 2022
With
R/FIRST APPEAL NO. 5119 of 2023
With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2023
In R/FIRST APPEAL NO. 5119 of 2023

=====

MUKESHDAN SAMBHUDAN GADHVI & ORS.

Versus

RANCHODBHAI DHANJIBHAI KERASHIYA & ORS.

=====

Appearance:

for the Appellant(s) No. 2,3,4,5,6

MR. HEMAL SHAH(6960) for the Appellant(s) No. 1

RULE SERVED for the Defendant(s) No. 1,2,3,4

=====

CORAM: HONOURABLE MS. JUSTICE GITA GOPI

Date : 13/03/2024

ORAL ORDER

Order in Civil Application No.1 of 2023 in First Appeal No.5119 of 2023:-

It is submitted that, the applicant has deposited the awarded amount before the Tribunal concerned in compliance to the earlier order. In view of the above, the interim relief

granted earlier shall continue till the final disposal of the main First Appeal.

Out of the amount so deposited by the applicant, the Tribunal concerned is directed to disburse 30% thereof in favour of the original claimants, by Account Payee cheque, after due verification; the remaining 70% shall be invested in Fixed Deposit with any nationalized Bank in the name of the original claimants, initially, for a period of two years, which may be renewed from time to time, without any reference to this Court. The Bank concerned shall not allow any loan or advance or create encumbrance upon such Fixed Deposit without prior permission of the Tribunal. Interest accruing on such Fixed Deposit shall be accumulated. The original Fixed Deposit Receipt shall be kept in the custody of the Nazir of the Tribunal. Orders regarding disbursement of the Fixed Deposit along with accumulated interest shall be passed at the time of final disposal of the First Appeal.

The Civil Application stands disposed of accordingly. Rule is made absolute.

It is made clear that vide order dated 17/02/2023, Civil Application No.1 of 2022 in First Appeal No.486 of 2022 has been disposed of.

Hence, registry to do the needful and delete same from the cause title.

The First Appeals along with other connected civil applications be placed for hearing on 27/03/2024.

(GITA GOPLJ)

ILA