# IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

**R/FIRST APPEAL NO. 1395 of 2022**
**With**
**R/FIRST APPEAL NO. 1396 of 2022**
**With**
**R/FIRST APPEAL NO. 1397 of 2022**
**With**
**R/FIRST APPEAL NO. 1398 of 2022**
**With**
**R/FIRST APPEAL NO. 1399 of 2022**
**With**
**R/FIRST APPEAL NO. 1400 of 2022**
**With**
**R/FIRST APPEAL NO. 1401 of 2022**
**With**
**R/FIRST APPEAL NO. 1402 of 2022**
**With**
**R/FIRST APPEAL NO. 1403 of 2022**

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ORIENTAL INSURANCE COMPANY LIMITED
Versus
SANJAYBHAI KANTIBHAI VASAVA & ORS.

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Appearance:
MS MAUSMI NANAVATI for MR VIBHUTI NANAVATI(513) for the Appellant(s) No. 1
RULE SERVED for the Defendant(s) No. 1,2,3

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CORAM:**HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR**

**Date : 15/12/2025**
**COMMON ORAL ORDER**

[1.0] Insurance Company is in First Appeals under section 173 of the Motor Vehicles Act, 1988. Challenge is made to the common judgment and award dated 30.09.2021 passed by the learned Motor Accident Claim Tribunal (Auxi.), Ankleshwar. The details of First Appeals concerning respective Motor Accident Claim Petitions alongwith amount of compensation awarded in respective claim petitions is as under:

| First Appeal No. | MACP No. | Amount Awarded (Rs.) |
|---|---|---|
| 1395/2022 | 1458/2013 | 55,700/- |
| 1396/2022 | 1459/2013 | 45,980/- |
| 1397/2022 | 1460/2013 | 64,160/- |
| 1398/2022 | 1461/2013 | 1,01,600/- |
| 1399/2022 | 1462/2013 | 68,480/- |
| 1400/2022 | 1463/2013 | 81,440/- |
| 1401/2022 | 1464/2013 | 67,040/- |
| 1402/2022 | 1465/2013 | 84,320/- |
| 1403/2022 | 1466/2013 | 65,600/- |

[2.0] Heard learned advocates for the respective parties.

[3.0] Since the amount involved in the present First Appeals is not exceeding Rs.2,00,000/-, paying due regard to smallness of amount, this Court is of the considered view that the First Appeals should be disposed of as compensation awarded seems to be just and reasonable and no interference is called for. It is hereby made clear that these First Appeals are disposed of only on the ground of award of compensation being meager and small. This Court has not expressed any opinion on merits and question of law raised in this First Appeals is kept open to be urged in other proceedings which may arise from the same road accident / same judgment and award. It is made clear that this order will not come in the way of adjudication of any other First Appeal pending against same judgment and award or adjudication of any other claim petition arising from same road accident. Since the First Appeals are disposed of only on the contention of monetary value being small, principle of *res*

*judicata* shall not be applied to any other proceedings arising from the same road accident or same judgment and award.

[4.0] In view of above, present First Appeals are dismissed. Pending Civil Applications, if any, stands disposed of as having become infructuous. No order as to costs.

[5.0] Record and Proceedings and amount, if any lying before this Court is ordered to be transmitted to the concerned Tribunal forthwith along with accrued interest, if any. The entire awarded amount be disbursed and released in favour of the claimants after due verification by transferring the said amount to the account of the claimants either by RTGS or NEFT mode.

**(HASMUKH D. SUTHAR, J.)**

*Ajay*

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: AJAY CHANDRAN MENON(HC00939), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 15/12/2025 16:42:36