

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/FIRST APPEAL NO. 2876 of 2025**

With
CIVIL APPLICATION (FOR STAY) NO. 1 of 2025
In R/FIRST APPEAL NO. 2876 of 2025

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THE NEW INDIA ASSURANCE COMPANY LTD.

Versus

LEGAL HEIRS OF LATE RAMESHBHAI SOMABHAI MACHHI & ORS.

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Appearance:

MS DIMPLE A THAKER(6838) for the Appellant(s) No. 1

NISHIT A BHALODI(9597) for the Defendant(s) No. 1.1,1.2,1.3

RULE NOT RECD BACK for the Defendant(s) No. 2,3,4,5

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CORAM:HONOURABLE MR.JUSTICE MOOL CHAND TYAGI

Date : 03/10/2025

ORAL ORDER

ORDER IN FIRST APPEAL:-

ADMIT.

ORDER IN CIVIL APPLICATION:-

Heard learned advocate for the applicant. Learned advocate for the applicant submits that the applicant is ready and willing to deposit 100% of the awarded amount.

In view of the statement of the learned advocate for the applicant, the execution, implementation and operation of the impugned award is stayed subject to deposit of 100% of the awarded amount before the learned Tribunal within a period of four weeks from today. Upon

depositing of the said amount, the Tribunal is directed to release 30% of the awarded amount in favour of the original claimant after due verification, through recognized RTGS / NEFT mode. The remaining 70% of the awarded 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 the original claimant shall not avail any loan or advance against the aforesaid Fixed Deposits without prior permission of this Court, however, the original claimant shall be entitled to receive periodical interest which may accrue on such Fixed Deposit.

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

HARSHIT

(MOOL CHAND TYAGI, J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: HARSHIT SANCHETI(HCD0070), ENGLISH STENOGRAPHER GRADE TWO CLASS TWO, at High Court of Gujarat on 03/10/2025 18:26:07