IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/FIRST APPEAL NO. 767 of 2021

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RAJIBEN MANJIBHAI THAKOR

Versus

SANJAYKUMAR RAMDAS SADHU & ORS.

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Appearance:
MR KK THAKKAR(2834) for the Appellant(s) No. 1
MR RITURAJ M MEENA(3224) for the Defendant(s) No. 3
RULE SERVED for the Defendant(s) No. 1,2,4

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CORAM:**HONOURABLE MR.JUSTICE L. S. PIRZADA**

Date : 29/10/2026

ORAL ORDER

1. With consent of the rival parties, matter is taken up for hearing today.

2. Learned advocates appearing for the respective parties have placed on record the compromise/settlement purshis signed by both the parties and submitted that the matter may be disposed of in view of the settlement arrived at between the parties.

3. In view of the terms of settlement arrived at between the parties, the judgment and award dated 20.12.2019 passed by the M.A.C.T. (Aux.2), Patan Radhanpur in M.A.C.P. No.437 of 2018 is hereby modified to the extent that the appellant herein is entitled to get additional amount of Rs.3,02,122/- (Rupees Three Lacs Two Thousand One Hundred and Twenty Two Only), with interest @ 6% p.a. and cost, as agreed by and between the parties, from the date of filing of the claim petition till its realization, which the Insurance Company shall deposit with the concerned Tribunal, within a period of 4

weeks from the date of receipt of copy of this order.

4. It is made clear that this settlement shall not be treated as precedent by the either side and principles of res judicata will not be made applicable and it would not affect any connected matter/s or any other proceeding/s pending before this Court or any other Court or Tribunal.

5. Registry is directed to refund the court fees, if any, paid on the appeal memorandum to the appellant as per Rules.

6. Since the appeal is disposed of, the claim amount, if any, lying with the Bank in the form of FDRs, lying either with the Tribunal or with the Nazir Branch of the Tribunal/Court, including the enhance amount, that may be deposited by the respondent – Insurance Company, shall be disbursed in favour of the original claimant/s, after due verification and after following proper procedure, by way of an Account Payee Cheque and/or NEFT and/or RTGS. The apportionment of the awarded amount, if any, shall be in the very terms, as ordered by the Tribunal in the original award.

7. In view of above, the present First Appeal is disposed of.

8. Accordingly, Civil Application/s, pending if any, would not survive and is disposed of.

9. Record & proceedings, if any, shall be remitted back to the concerned jurisdictional Tribunal, forthwith.

(L. S. PIRZADA, J)

Hitesh

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: HITESHKUMAR JAGDISHBHAI PANCHAL(HC00195), PRINCIPAL PRIVATE SECRETARY, at High Court of Gujarat on 29/10/2026 16:43:56