

**Ram Lal Vs. Shibi Devi and Ors. a/w  
connected matter**

**FAO No.24 of 2021 a/w  
FAO No.568 of 2018**

**FAO No.24 of 2021**

24.09.2025 Present: Mr. Vinay Thakur, Advocate, Advocate, for the appellant.

Mr. Pramod Thakur, Advocate, for respondents No.1 and 2.

None for respondent No.3(a).

Ms. Shruti Dubey, Advocate, vice Mr. Sambhav Bhasin, Advocate, for respondent No.4.

**FAO No.568 of 2018**

Ms. Sunita Sharma, Sr. Advocate with Ms. Sugandh, Verma, Advocate, for the appellant

None for the respondent.

**CMP No.9168 of 2021 in FAO No.24/21**

Heard counsel for the parties and perused the pleadings.

In the case at hand, two claim petitions were filed arising out of the same accident. One before the learned Motor Accident Claims Tribunal at Rampur and the present one before the learned Motor Accident Claims Tribunal-(IV), Shimla, HP. Insofar as the claim petition before the learned MACT Rampur is concerned, the liability had been fastened upon the insurance company, whereas in the present case, the liability has been fastened on the owner.

In view of the law laid down by the Apex Court in ***Civil Appeal No.5123 of 2019, titled Parminder Singh Vs. New India Insurance Company Limited***, an order of "***Pay and Recover***" was made in the case at hand. The amount stands deposited by the Insurance Company and an execution proceedings has been preferred by the Insurance Company against the present owner.

In the aforesaid facts and attending circumstances, further proceedings in Execution Petition No.26-S/6 of 2021, titled National Insurance Company Ltd. Vs. Ram Lal, pendng before the learned MACT-IV, Shimla, HP are ordered to be stayed, till further orders.

**(Bipin C. Negi)**  
**Judge**

24<sup>th</sup> September, 2025  
(Gaurav Rawat)