

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Misc. Appeal No. 661/2026

United India Insurance Co. Ltd., Through Branch Office, Bhuwan Complex, Near Laxman Ground, Udaipur Road, Dungarpur, Through Its Regional Manager, 74/a Second Floor, Bhati N Plaza, Main Pal Road Jodhpur.

----Appellant

Versus

1. Jayesh S/o Gautam Patidar, Aged About 20 Years, R/o Kariyana, Tehsil And P.s. Sabla, District Udaipur, (Raj)
2. Bharat Bhati S/o Raman Bhai, Aged About 22 Years, R/o Sabla, Tehsil And Police Station Sabla, District Dungarpur (Raj)
3. Hitesh Meena S/o Padiya Meena, R/o Sabla, Fala Bhamelawada, Tehsil And Police Station Sabla, District Dungarpur (Raj)

----Respondents

For Appellant(s) : Mr. Anil Kaushik

For Respondent(s) :

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

23/02/2026

1. Learned counsel for the appellant submits that notices were issued to the respondent(s) by the learned Tribunal and in the absence of appearance by the owner and driver, ex parte proceedings were initiated against them. It is further contended that, in reply to the claim petition, the appellant had taken a specific plea that the Daily Diary Report, recorded immediately after the accident in question, referred to an unidentified vehicle. However, the FIR came to be registered after an inordinate delay of approximately twenty days. It is thus asserted that the insured

vehicle has been falsely implicated with an ulterior motive of claiming compensation.

2. The matter requires consideration.
3. Issue notice to respondent(s), returnable within six weeks.
4. Meanwhile, effect and operation of the impugned judgment and award dated 15.10.2025 passed by the learned MACT, Dungarpur in Claim Case No.374/2023, titled "*Jayesh Vs. Bharat Bhai & Ors.*", shall remain stayed qua the appellant subject to the condition that the appellant - Insurance Company deposits 50% of the amount awarded by the Tribunal vide award dated 15.10.2025 within a period of eight weeks. The amount so deposited shall be disbursed to the claimants by the Tribunal in accordance with law.
5. Upon deposit, the amount shall be disbursed to the claimant-respondents in terms of the award.
6. It is made clear that if the amount as directed by this Court is not deposited within the stipulated time, the respondent-claimants shall be free to proceed with the execution of the impugned award.
7. List after eight weeks.

(MUKESH RAJPUROHIT),J