

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

S.B. Civil Misc. Appeal No. 452/2019

1. Indra Devi W/o Late Shri Mangi Nath, Aged About 27 Years, R/o Dhakri, Distt. Pali At Present R/o Kherwa, Tehsil And Dist.pali.
2. Vikram Nath S/o Late Shri Mangi Nath, Aged About 7 Years, Minor Through Natural Guardian Mother Smt. Indra Devi W/o Late Shri Mangi Nath (Appellant No. 1) R/o Dhakri, Distt. Pali At Present R/o Kherwa, Tehsil And Dist.pali.
3. Bichhunath S/o Late Shri Mangi Nath, Aged About 5 Years, Minor Through Natural Guardian Mother Smt. Indra Devi W/o Late Shri Mangi Nath (Appellant No. 1) R/o Dhakri, Distt. Pali At Present R/o Kherwa, Tehsil And Dist.pali.
4. Hukum Nath S/o Late Shri Mangi Nath, Aged About 2 Years, Minor Through Natural Guardian Mother Smt. Indra Devi W/o Late Shri Mangi Nath (Appellant No. 1) R/o Dhakri, Distt. Pali At Present R/o Kherwa, Tehsil And Dist.pali.
5. Santi Devi W/o Late Shri Hadman Nath, Aged About 43 Years, B/c Kalbeliya Jogi, R/o Dhakri, Distt. Pali At Present R/o Kherwa, Tehsil And Dist.pali.
6. Hadman Nath, S/o Chog Nath (Dead) Name Removed
7. Pana Kalbeliya W/o Shri Prakash Nath, Aged About 29 Years, D/o Hadman Nath, R/o Gali No. 8, Chopasni, Jodhpur.
8. Gudiya Kalbeliya W/o Shri Kailash Nath, Aged About 26 Years, D/o Hadman Nath, R/o - Budhwada, P.S. Sadar, Distt. Pali (Death)
9. Tara Kumari D/o Hadman Nath, Aged About 20 Years, R/o - Dhakri, Distt. Pali. At Present R/o - Kherwa, Tehsil And Distt. Pali
10. Kajole D/o Hadman Nath, Aged About 16 Years, R/o - Dhakri Distt. Pali At Present R/o - Kherwa, Tehsil And Distt. Pali Minor Through Natural Gaurdian Mother Smt. Santi Devi W/o Shri Hadman (Appellant No. 5)
11. Surendra Nath S/o Hadman Nath, Aged About 23 Years, R/o - Dhakri, Distt. Pali. At Present R/o - Kherwa, Tehsil

And Distt. Pali.

----Appellants

Versus

1. Shri Ram General Insurance Co. Ltd., Through Legal Manager E-8, EPIP RIICO Industrial Area, Sitapura, Jaipur.
2. Firoj S/o Shri Nisar, Aged About 32 Years, B/c Mahommedan, R/o Ramdev Road, Pali, Tehsil And Distt. Pali (Raj.)
3. Jakir S/o Shri Nisar Khan, Aged About 34 Years, B/c Mohammedan, R/o - Ramdev Road, Pali, Tehsil And Distt. Pali (Raj.)

----Respondents

For Appellant(s) : Mr. R.C. Joshi
For Respondent(s) : Mr. Vishal Singhal

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT**Order****25/02/2026**

The instant appeal has been filed against the judgment and award dated 31.08.2018 passed by learned Court of Motor Accident Claims Tribunal, Pali in MACP No.65/2017, whereby the learned Tribunal has awarded a sum of Rs.13,55,200/- as compensation in favour of the appellants.

Learned counsel for the parties submit that they have entered into a memorandum of understanding dated 25.02.2026. It is further submitted that the issue in present appeal has been settled by way of compromise between the claimants and the insurance company. The appeal filed by the insurance company (S.B. Civil Misc. Appeal No.3224/2018) came to be disposed of by this Court vide order dated 12.11.2024, wherein the insurance

company has already made deposit of Rs.9,50,000/- along with interest against the total award. Now, the company is ready to make a further payment of Rs.8,50,000/- (inclusive of balance amount of Rs.4,05,200/- along with interest) as a lump sum payment to the claimants in addition to Rs.9,50,000/- (with interest) already deposited by the insurance company.

Therefore, it is prayed that the present appeal may be disposed of in the light of the memo of understanding entered into between the parties.

In view of above, it is ordered that the above said enhanced amount of Rs.8,50,000/- (inclusive of balance amount of Rs.4,05,200/- along with interest) as a lump sum payment to the claimants in addition to Rs.9,50,000/- (with interest) already deposited by the insurance company, shall be paid by the insurance company to the appellants within a period of two months from today. If the said amount is not paid by the insurance company within a period of two months, the insurance company shall pay interest @ 7% from today on the enhanced amount till the amount is actually paid to the appellants.

The appeal stands disposed of in above terms. The memorandum of understanding is taken on record.

Stay petition and all pending applications, if any, also stand disposed of.

(MUKESH RAJPUROHIT),J