HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B. Civil Misc. Appeal No. 776/2024

1. Bheru Lal Jat S/o Late Sh. Narayan Lal Ji Jat, Aged About 58 Years, R/o Ganeshpura @ Gulji Ka Khera, Tehsil Gangrar, Dist. Chittorgarh, Rajasthan. (Deceased Father)
2. Nani W/o Bheru Lal Jat, Aged About 53 Years, R/o Ganeshpura @ Gulji Ka Khera, Tehsil Gangrar, Dist. Chittorgarh, Rajasthan. (Deceased Mother)

----Appellants

Versus

1. Royal Sundaram General Assurance Company Limited, Through Its Branch Manager, Royal Sundaram General Assurance Company Limited, 607-611, Chanta Mala, Jai City Point, Subhash Marg, C-Scheme, Jaipur, Rajasthan. (Insurer Of Vehicle Tractor No. Rj-09-Rb-8642)
2. Pyari Bai W/o Hemraj Ji Ahir, R/o Marmi, Tehsil Rashmi, Dist. Chittorgarh, Rajasthan. (Owner Of Vehicle Tractor No. Rj 09- Rb-8642)
3. Prahlad Singh Chundawat S/o Prathvi Singh Ji Chundawat, R/o Nathi Ka Khera, Tehsil Gangrar, Dist. Chittorgarh. (Driver Of Vehicle Tractor No. Rj 09 Rb-8642)

----Respondents

For Appellant(s)	:	Mr. DS Gaur
For Respondent(s)	:	Mr. Dhanpat Choudhary Ms. Jyoti R Patel

HON'BLE MR. JUSTICE YOGENDRA KUMAR PUROHIT

Order

08/12/2025

The Motor Accident Claims Tribunal, Chittorgarh vide judgment and award dated 12.12.2023 in Claim Case No.103/2018 passed an award of Rs.22,66,280/- with interest @ 6% per annum in favour of the appellant-claimant. Aggrieved by the said judgment and award, the claimant has filed the instant appeal. It is submitted that the compensation awarded by the Tribunal is inadequate and same deserves to be enhanced.

Learned counsel appearing for the respondent-Insurance Company has agreed to enhance the compensation amount by Rs. 1,80,000/- in addition to the amount already awarded by the learned Tribunal vide the award impugned as a full and final settlement of the claim case.

Learned counsel for the appellant-claimant is agreed to the aforesaid proposal made by learned counsel appearing for the Insurance Company.

In view of settlement arrived at between the appellant-claimant and respondent No.1 Insurance Company to enhance the amount of compensation by Rs. 1,80,000/- as lump-sum in addition to the amount already awarded by the learned Tribunal vide the award impugned as a full and final settlement of the claim case, this appeal is disposed of in following terms:

The respondent-Insurance Company shall pay the enhanced amount of Rs.1,80,000/- as lump-sum amount, in addition to the compensation already awarded vide impugned judgment and award dated 12.12.2023 passed in Claim Case No.103/2018 to the appellant-claimant as a full and final settlement of the claim case. The enhanced amount shall be deposited by the respondent-Insurance Company with the Tribunal within a period of three months from today, failing which on the enhanced amount, interest @ 6% from the date of enhancement till payment shall be payable. On deposit of the amount as aforesaid, the same shall be disbursed to the appellant-claimant in accordance with law.

The award impugned dated 12.12.2023 passed by Motor accident Claims Tribunal, Chittorgarh in Claim Case No. 103/2018 is modified accordingly.

(YOGENDRA KUMAR PUROHIT),J

162-Arti/-