

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

S.B. Civil Misc. Appeal No. 1007/2026

TATA AIG General Insurance Company Limited, 2 B Hazareshwar Colony, Opposite Telephone Exchange, Court Road, Udaipur, Raj.
(Insurance Company Of Tempo No. RJ-16-GA-3722)

----Appellant

Versus

1. Laharchand S/o Veasaram, Aged About 75 Years, R/o Sarat, Tehsil And District Jalore, (Raj.)
2. Dhan Singh S/o Sav Singh, Sutharon Ki Gali, Bagra, Tehsil And District Jalore (Raj.) (Vehicle Owner And Driver Of Tempo No. RJ-16-GA-3722)

----Respondents

For Appellant(s)	:	Mr. Vishal Singhal
For Respondent(s)	:	-

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

18/02/2026

1. It is contended by learned counsel for the appellant that the learned Tribunal has erred in not considering the fact that the FIR was registered against an unknown vehicle and the eye witness Indermal has also not been examined till date, therefore, in absence of his testimony, the judgment passed by the learned Tribunal deserves to be set aside.
2. The matter requires consideration.
3. Issue notice to the respondents. Issue notice of stay application also, returnable within a period of six weeks.
4. Call for the record.
5. Meanwhile, the effect, operation, and execution of the judgment and award dated 05.12.2025, passed by the learned

Judge, Motor Accident Claims Tribunal, Jalore in MAC Case No.64/2017 (CIS No.40/2019), shall remain stayed, subject to the appellant depositing 50% of the award amount along with interest before the learned Tribunal within a period of eight weeks from today. The amount already deposited shall be adjusted against the amount to be deposited now.

6. Upon deposit, the amount shall be disbursed to the claimant-respondents in terms of the award.

7. 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.

(MUKESH RAJPUROHIT),J