

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

S.B. Civil Misc. Appeal No. 1063/2026

Iffco Tokio General Insurance Company Ltd., Iffco House, 3Rd Floor, 34 Nehru Palace, New Delhi. Jaipur Office At 2Nd Floor, Bhagwati Bhawan, Government Hostel Crossing, M I Road, Jaipur.

----Appellant

Versus

1. Roop Singh S/o Shri Bhanwar Singh, Village Dulrasar, Tehsil Sardarsahar, District Churu.
2. Sawai Singh S/o Shri Magan Singh, Village Dulrasar, Tehsil Sardarsahar, District Churu. (Driver)
3. Peerulal S/o Shri Ramjilal, Village Sohasada, P.s. Loharoo, District Bhiwani, Haryana. (Owner)

----Respondents

For Appellant(s) : Mr. Jagdish Vyas.

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT
Order

19/03/2026

1. It is contended by learned counsel for the appellant that the FIR was lodged after an inordinate delay of 70 days, falsely implicated the insured pickup in the matter. It is further submitted that the insurance policy in respect of the vehicle in question was issued as a goods carriage vehicle and the premium was charged only for the driver and third party risk, therefore, since the deceased was travelling as a gratuitous passenger therein, such risk is not covered under the terms of the policy.
2. The matter requires consideration.
3. Admit. Issue notice, returnable within six weeks.
4. Meanwhile, the effect, operation and execution of the judgment and award dated 15.12.2025, passed by the learned Judge, Motor Accident Claims Tribunal (Additional District Judge) Sardarshahar, District Churu in MAC Case No.74/2023 (116/2024) (144/2016), shall remain stayed.

(MUKESH RAJPUROHIT),J