

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

S.B. Civil Writ Petition No. 5283/2026

Divisional Manager, The Oriental Insurance Company Limited,
S.k. Plaza, Pur Road, Bhilwara Through Its Authorized Signatory
Vijay Kumar Vyas S/o Shri Anandi Lal Vyas, Aged 57 Years,
Presently Working As Manager / Incharge, Tp Hub, Oriental
Insurance Company Limited, Jodhpur.

-----Petitioner

Versus

Ruksana Banu W/o Shakil Mohammed, Proprietor M/s Sbrl R/o
Near Madarse, Nehru Nagar, Kotri, District Bhilwara.

-----Respondent

For Petitioner(s)	:	Mr. Aditya Singhi
For Respondent(s)	:	--

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

09/03/2026

1. Learned counsel for the petitioner submitted that, in the present case, the claim of Rs. 2 lakh submitted by the claimant, Ruksana Banu W/o Shakil Mohammed, was rejected by the petitioner-Insurance Company on the ground that the accident of the vehicle occurred due to overloading.
2. Learned counsel further submitted that the overloading of the vehicle stood duly proved from the records of the Mining Department as well as from the report of the Surveyor and Loss Assessor received by the Insurance Company during the course of investigation.
3. Learned counsel further contended that, while ignoring the aforesaid important factual aspects of the matter, the Permanent Lok Adalat, Bhilwara, vide the impugned award dated 12.11.2025

passed in Case No. 107/2024 titled Ruksana Banu vs. Divisional Manager, The Oriental Insurance Company Ltd., directed the Insurance Company to pay the claim amount of Rs. 2 lakh to the claimant, Ruksana Banu.

4. The matter requires consideration.

5. Issue notice. Issue notice of the stay application as well.

6. In the meanwhile and till further orders, the effect and operation of the impugned award dated 12.11.2025 passed by the Permanent Lok Adalat, Bhilwara in Case No. 107/2024 titled Ruksana Banu vs. The Oriental Insurance Company Ltd. shall remain stayed, subject to the petitioner making provisional payment of Rs. 1 lakh to the claimant, Ruksana Banu, within a period of six weeks from today.

7. The claimant, Ruksana Banu, shall file an undertaking before this court to the effect that the payment of Rs. 1 lakh received by her shall remain subject to the final outcome of the present writ petition.

(KULDEEP MATHUR),J