

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

S.B. Civil Misc. Appeal No. 1190/2026

United India Insurance Company Limited, Registered And Head Office 24 Whites Road, Chennai, Pin Code 600014. Through Its Tp-Hub Incharge At 1st Floor, Bhati N Plaza, Pal Road, Jodhpur. (Insurer Of Car No. RJ -30-CA-0363)

----Appellant

Versus

1. Shri Dalpat Singh S/o Narayan Singh, Aged About 43 Years, R/o Kerot, Tehsil And District Rajsamand (claimant)
2. Yugal Kishore Paliwal S/o Radheshyam Paliwal, R/o Plot No. 2, Kalindi Vihar, Kankroli, Tehsil And District Rajsamand(Driver And Owner Of Car No RJ-30-CA-0363)

----Respondents

For Appellant(s)	:	Mr. Santosh Choudhary
For Respondent(s)	:	Mr. Vikram Sharma

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT
Order

25/03/2026

1. Learned counsel for the appellant-insurance company submitted that in the award passed by the learned Tribunal, the quantum of income is in excessive side without any cogent evidence and lifetime attendant charges have been granted without any evidence. It is further contended that the learned Tribunal inflated medical expenses by including duplicate and non-medical bills without proper reconciliation and also awarded an excess amount under the head of pain and suffering which is not as per the settled principles of law.
2. Learned counsel has placed reliance upon the judgment rendered by the Hon'ble Supreme Court in the case of

R. Logeshkumar Vs. P. Balasubramaniam & Anr. reported in
2026 (1) R.A.R. 121 (SC).

3. The matter requires consideration.
4. Admit. Issue notice. Issue notice of stay application also.
5. Mr. Vikram Sharma, learned counsel accepts notice on behalf of respondent No.1 (claimant).
6. The service of notice upon respondent No.2 is dispensed with at the risk and cost of the appellant.
7. List this matter after eight weeks.
8. Meanwhile, effect and operation of the impugned judgment and award dated 22.12.2025 passed by the learned Judge, Motor Accident Claims, Tribunal Rajsamand in Motor Accident Claim Case No.399/2024 shall remain stayed qua the appellant subject to the condition that the appellant-insurance company deposits 60% of the amount (with interest) awarded by the Tribunal vide award dated 22.12.2025 within a period of eight weeks. The amount previously deposited, if any, shall be adjusted.
9. Upon deposit, the amount shall be disbursed to the claimant-respondent(s) in terms of the award.
10. Learned trial Court is directed to send the record after disbursement of the claim amount to the respondent(s).
11. It is made clear that if the amount as directed by this Court is not deposited within the stipulated time, the respondent-claimant(s) shall be free to proceed with the execution of the impugned award.
12. In case, the appeal is decided against the claimants, the amount so deposited by the insurance company shall be returned



by the claimants to the appellant-insurance company along with the interest.

(MUKESH RAJPUROHIT),J

50-Ramesh/-