



HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR 2026:RJ-JD:8354

S.B.Civil Misc. Appeal No. 2451 / 2011

National Insurance Company Limited, Branch Office, Udaipur through its Legal Constituted Authority, Divisional Office, 12 Residency Road, Jodhpur.

----Appellant-Non-applicant No.2

Versus

1. Smt. Hagami W/o. late Shri Mohan Singh,
2. Shri Hemendra Singh S/o. late Shri Mohan Singh, minor through his natural guardian mother Smt. Hagami.
3. Shri Shankar Singh S/o. Shri Bheru Singh,
4. Smt. Pani Devi W/o. Shri Shankar Singh.

All by caste Rawat residents of Village – Sadaran, P.S. Bheem, District Rajsamand.

----Respondents-Claimants

5. Smt. Devendra Kaur W/o. Shri T.D. Bhatia, R/o. W/B-74A, Ganesh Nagar, Shanarpur, Delhi. (dismissed on 12.08.2014)

----Respondent-Non-applicant No.1

For Appellant(s) : Mr. Jagdish Vyas.

For Respondent(s) : Mr. Sandeep Saruparia.

HON'BLE MR. JUSTICE ARUN BHANSALI

Order

27/01/2017

Heard learned counsel for the parties on the stay application filed by the appellant.

It is submitted by learned counsel for the appellant that the law, which has been followed by the Commissioner for holding the appellant-Insurance Company liable for payment of penalty, has been reversed by Division Bench of this Court in the case *United Indian Insurance Co. Ltd. v. Smt. Sire Kanwar & Ors.*: D.B. Civil



Misc. Appeal No.768/2005, decided on 27.04.2007.

2026:RJ-JD:8354

In view of the submissions made, the judgment of the Commissioner dated 18.02.2008 to the extent of holding the appellant-Insurance Company liable for payment of penalty as well as interest shall remain stayed during the pendency of the present appeal.

The stay application stands disposed of.

(ARUN BHANSALI)J.

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RAJASTHAN HIGH COURT



सत्यमेव जयते