

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

S.B. Civil Misc. Appeal No. 1252/2026

United India Insurance Company Limited, Lic Building, Mandiya Road, Pali. (Insurance Company)

----Appellant

Versus

1. Narsinghlal Mishra S/o Bajranglal, Aged About 48 Years, R/o Jawal Road Gol, Sirohi Raj..
2. Dheeraj Mishra S/o Narsinghlal Mishra, Aged About 22 Years, R/o Jawal Road Gol, Sirohi Raj..
3. Kartik Mishra (Minor) S/o Narsinghlal Mishra, Through Natural Guardian Father Narsinghlal Mishra , R/o Jawal Road Gol, Sirohi Raj..
4. Shravan Kumar S/o Shivramaram, Aged About 38 Years, R/o Jana, Police Station, Dataramgarh, Sikar. (Driver)
5. Ramniwas Sharma S/o Bhanwarlal Sharma, R/o Jagatpura Police Station Dhod, District Sikar. (Owner)
6. Shravan Kumar Sharma S/o Jagdish Prasad Sharma, R/o C/o K Tuglo, A-Sector, Naharlagun, Papumpare, Papum Pare, Arunachal Pradesh. (Owner As Per The Policy)

----Respondents

For Appellant(s)	:	Mr. Aditya Singhi
For Respondent(s)	:	Mr. Manoj Bohra a/w Mr. Aman Bishnoi.

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

27/03/2026

1. Learned counsel for the appellant-Insurance Company submits that the impugned award has been challenged by the appellant on the ground that the quantum of income assessed by the learned Tribunal is on the higher side and is not supported by any cogent evidence.
2. The matter requires consideration.
3. Issue notice.
4. Mr. Manoj Bohra, learned counsel has put in appearance on behalf of respondent Nos.1 to 3.

5. At the request, risk and cost of the appellant, the service upon the respondent nos.4 to 6 is dispensed with.
6. List after six weeks.
7. Meanwhile, effect and operation of the impugned judgment and award dated 08.12.2025 passed by the learned Judge, Motor Accident Claims Tribunal Pali, District Pali (Raj.) in Motor Accident Claim Case No.98/2023 shall remain stayed qua the appellant subject to the condition that the appellant-insurance company deposits 70% of the amount (with interest) awarded by the Tribunal vide award dated 08.12.2025 within a period of eight weeks.
8. The deposited amount may be disbursed to the respondents-claimants in the manner and proportion as contemplated in the impugned judgment and award with the undertaking that if the appellant-insurance company succeeds, they shall refund the same along with interest in accordance with law.
9. It is made clear that the amount, if any, previously deposited by the appellant-insurance company, shall be adjusted towards the said amount.
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.

(MUKESH RAJPUROHIT),J