

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

S.B. Civil Misc. Appeal No. 657 / 2017

1. Ratish Kumar S/o Shri Har Lal, Aged About 42 Years, By Caste  
Jat Resident of Mundariyabada, Tehsil Bhadra District  
Hanumangarh. (Driver & Purchaser of Bolero No. RJ 31 UA 0877)

2. Krishan Lal S/o Shri Govind Ram, Aged About 46 Years, By  
Caste Khati, Resident of Redi, Tehsil Taranagar, District Churu.  
(Owner of Bolero No. RJ31UA 0877)

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Versus

1. Goura W/o Surja Ram, Aged About 81 Years, Resident of  
Mundariya Bada, Tehsil Bhadra District Hanumangarh.

2. Santosh W/o Khinvkaran, Aged About 41 Years, Resident of  
Mundariya Bada, Tehsil Bhadra District Hanumangarh.

3. Vikas Kumar S/o Khinvkaran, Aged About 17 Years

4. Pooja D/o Khinvkaran, Aged About 16 Years

5. Sapna D/o Khinvkaran, Aged About 14 Years

6. Munesh S/o Khinvkaran, Aged About 13 Years, The Respondent  
No. 3 6 Being Through Natural Guardian Mother Smt. Santosh W/o  
Khinvkaran Resident of Mundariya Bada, Tehsil Bhadra District  
Hanumangarh.

7. United India Insurance Co. Ltd. Through Divisional Manager,  
United India Insurance Co. Ltd., Sri Ganganagar.

-----Respondents

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For Appellant(s) : Mr. R.S. Choudhary.

Mr. B.R. Chahar.

For Respondent(s) : Mr. S.K. Sankhala.

Mr. Sunil A. Vyas.

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**HON'BLE MR. JUSTICE ARUN BHANSALI**

**Order**

**17/08/2017**

Heard on stay application.

It is submitted by learned counsel for the appellant that the

Tribunal has awarded excessive amount of compensation and has wrongly exonerated the Insurance Company.

In view of the submissions made, it is directed that in case the appellant deposits 50% of the impugned award alongwith interest as awarded by Tribunal within a period of eight weeks, the rest of the award shall remain stayed.

As in the appeal filed by the Insurance Company being S.B. Civil Misc. Appeal No.1382/2017, the award has been stayed to the extent of 50%, on deposit of the amount by the appellant, the amount be disbursed to the appellant – Insurance Company to the extent already paid by it and rest of the amount, if any, be disbursed to the claimants.

The stay application stands disposed of.

(ARUN BHANSALI)J.

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