

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

S.B. Civil Misc. Appeal No. 1157 / 2017

Harun & Ors.

----Appellants

Versus

Smt. Pana Devi & Ors.

----Respondents

For Appellant(s) : Mr. S.K. Sankhla

HON'BLE MR. JUSTICE GOVERDHAN BARDHAR

Order

18/05/2017

The matter comes up on an application for dispensing with depositing Rs.25,000/- as required under Section 173 of the Motor Vehicle Act.

Learned counsel for the appellant has placed reliance on 2006 R.A.R.181(Raj) Ghisi Bai & Ors Vs. Smt. Magan Kunwar & Ors and submits that insurance company has deposited entire amount of compensation and the amount has already been paid to the claimants, therefore, the appellant may be exempted from producing the certificate of compensation of amount under Section 173 of the M.V. Act. For the reasons mentioned in the application, the application is allowed.

Heard on application under Section 5 of the Limitation Act.

Issue notice of application under Section 5 of the Limitation Act to the respondent No.4/National Insurance Company only.

(GOVERDHAN BARDHAR) J.

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