

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

S.B. Civil Misc. Appeal No. 1748 / 2017

The New India Assurance Company Ltd., Through Its Authorized Office, T.P. Claims Hub, Divisional Office-1, Abhay Chambers, Jalori Gate, Jodhpur.

---Appellant

Versus

1. Shibu Ram @ Shimbhu Ram S/o Shri Jetha Ram Chowkidar, Resident of Village Baggar, Tehsil Rinyabadi, District Nagaur.
2. Smt .sharda W/o Shri Parasji D/o Shibu Ram @ Shimbhu Ram Chowkidar, Resident of Village Mokala, Tehsil Mertacity, District Nagaur.
3. Smt. Gutki W/o Shri Pema Ram D/o Shibu Ram @ Shimbhu Ram Chowkidar, Resident of Hariyadhana, Tehsil Bilara, District Jodhpur.
4. Smt. Bharpai W/o Shri Premji D/o Shibu Ram @ Shimbhu Ram Chowkidar, Resident of Village Rinyabadi, District Nagaur.
5. Ramavtar S/o Shibu Ram @ Shimbhu Ram Chowkidar, Resident of Village Baggar, Tehsil Rinyabadi, District Nagaur.
6. Smt. Saroj W/o Shri Prakash D/o Shibu Ram @ Shimbhu Ram Chowkidar, Resident of Village Bedas, Tehsil Rinyabadi, District Nagaur.

....Claimants

7. Bhabhut Ram S/o Shri Bhikharam Jat, Resident of Village Lampolai, Tehsil Mertacity, P.S. Padukala, District Nagaur. (Driver).
8. Mohd. Ayub S/o Mohd. Sabir, Resident of Babu Colony, Chopasni Road, Jodhpur (Owner)

----Respondents

For Appellant(s) : Mr. Jagdish Vyas

For Respondent(s) : Mr. B Ray Bishnoi

JUSTICE DINESH MEHTA

Order

13/04/2018

Admit.

Issue notice. Issue notice of stay application also. Mr.

Bishnoi, accepts notices on behalf of respondents No.1 to 6 – claimants. Issue notice to respondents No. 7 and 8 only.

Notices be filed in two sets; out of which one set be given 'dasti' to learned counsel for the appellant for effecting service through registered post acknowledgment due.

Send for the record.

Meanwhile, recovery of the amount pursuant to the impugned judgment and award dated 28.03.2017 passed by Motor Accident Claims Tribunal, Merta in Claim Case No.96/2015 from the appellant – Insurance Company shall remain stayed.

(DINESH MEHTA), J.

Himanshu/- 82



सत्यमेव जयते