

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

S.B. Civil Misc. Appeal No. 1917 / 2017

United India Insurance Company Limited, Through Its Authorised
Signatory, TP Hub Jodhpur, 2nd Floor, 74-A, Bhati N-Plaza, Main
Pal Road, Jodhpur. (Insurer)

----Appellant

Versus

1. Smt. Rinku Sethia, Widow of Late Shri Pramod Sethia, By Caste
Sethia, Resident of 11/B, Rana Pratap Colony, Sri Ganganagar.

2. Mahendra Singh, Son of Shri Sheochand, By Caste Jat, Resident
of Mundi Tibba, Police Station, Rajgarh, District Churu.
(Driver)

3. Rohitash, Son of Shri Sheochand, By Caste Jat, Resident of
Mundi Tibba, Police Station Rajgarh, District Churu.(Owner)

----Respondents

For Appellant(s) : Mr. Mukul Singhvi.

For Respondent(s) :

HON'BLE MR. JUSTICE ARUN BHANSALI

Order

09/08/2017

It is submitted by learned counsel for the appellant that in
the FIR, the specific case of the first informant was that the
accident occurred on account of the truck hitting deceased-
Pramod, however, subsequently, the story has been changed and
insured vehicle has been implicated.

Admit. Issue notice.

Issue notice of the stay application also, returnable within
four weeks.

Notices when issued be given 'dasti' to learned counsel for

the appellant.

Call for record.

In the meanwhile and till further orders, if the appellant – Insurance Company deposits 50% of the impugned award alongwith interest as awarded by Tribunal within a period of four weeks, after taking into consideration any amount deposited under Section 140 and/or proviso to Section 173(1) of the Motor Vehicles Act, 1988,, the rest of the award shall remain stayed. The amount when deposited be disbursed to the claimants in terms of the award.

(ARUN BHANSALI)J.

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