

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

S.B. Civil Misc. Appeal No. 2144/2015

Tulsi Ram S/o Teja Ji Rawat, Aged About 33 Years, R/o Rayla,
Tehsil Vallabhnagar, District Udaipur. (Claimant)

----Appellant

Versus

1. Khemraj S/o Bhagga Ji Rawat, R/o Padmela, Tehsil
Vallabhnagar, District Udaipur. (Driver)

2. Puji Ram S/o Dalla Ram Rawat, R/o Adida, Bus Stand, Tehsil
Vallabhnagar, District Udaipur. (Owner)

3. Reliance General Insurance Company Ltd. Through Branch
Manager, Branch Office Udaipur. (Insurer)

----Respondent

For Appellant(s) : Ms. Nidhi Singhvi for Mr. Deelip
Kawadia

For Respondent(s) : Mr. T.R.S. Sodha

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

23/02/2026

1. The instant appeal has been filed against the judgment and award dated 25.07.2015 passed by learned Court of Motor Accident Claims Tribunal No.1, Udaipur, in MACP No.1019/2010 whereby the learned Tribunal while exonerating the respondent-Insurance company from its liability, awarded a sum of Rs.2,41,640/- in favour of the appellant which was to be paid by the respondent No.2 -Puji Ram.

2. Learned counsel for the parties submit that they have entered into a memorandum of understanding and the respondent No.3 - Insurance company has agreed to pay a total sum of Rs.5,43,000/- including the amount awarded by the Tribunal towards full and final settlement of the claim made by the appellant.

3. Therefore, it is prayed that the present appeal may be disposed of in the light of the memo of understanding entered into between the parties.

4. It is submitted by the learned counsel for the appellant that since insurance company has agreed to satisfy the award, the claimant be restrained to recover the compensation amount from the owner.

5. In view of above, it is ordered that the above said enhanced amount of Rs.5,43,000/- shall be paid by the insurance company to the appellant within a period of two months from today. If the said amount is not paid by the insurance company within a period of two months, the insurance company shall pay interest @ 7% from today on the enhanced amount till the amount is actually paid to the appellant.

6. It is made clear that since, the insurance company has agreed to deposit Rs.5,43,000/- towards full and final settlement of the claim, the claimant is restrained to proceed further for recovery of the awarded amount from the owner. In case, the claimant has recovered any amount from owner, same shall be adjusted against amount to be deposited by the Insurance company in pursuance of this order.

7. The appeal stands disposed of in above terms. The memorandum of understanding is taken on record.

8. Stay petition and all pending applications, if any, also stand disposed of.

(MUKESH RAJPUROHIT),J