

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

S.B. Civil Misc. Appeal No. 1781/2019

1. Vinod Kumar S/o Shri Purnram, Aged About 33 Years, B/c Jat, R/o Village Pilibanga, Tehsil Pilibanga, District Hanumangarh. (Driver)
2. Dalip Kumar S/o Shri Purnram, Aged About 39 Years, B/c Jat, R/o Village Pilibanga, Tehsil Pilibanga, District Hanumangarh. (Owner)

----Appellants

Versus

1. Mst. Puja D/o Shri Budhram, Aged About 13 Years, (Minor) Through Her Natural Guardian Father Budhram S/o Shri Shyokaran, Aged 34 Years, B/c Nayak, R/o Chak 26 Stg, Tehsil Pilibanga, District Hanumangarh. Presently Residing At Ward No. 25, Tehsil Pilibanga, District Hanumangarh.
2. Hdfc Ergo General Insurance Company Ltd., C-Scheme, Upasana Tower, Jaipur Through Manager (Law). (Insurer)

----Respondents

For Appellant(s)	:	Mr. Rajesh Panwar, Sr. Adv. assisted by Mr. Mudit Vaishnav, Adv.
For Respondent(s)	:	Mr. Jagdish Vyas, Adv.

HON'BLE MR. JUSTICE MANOJ KUMAR GARG

Order

29/10/2025

Mr. Jagdish Vyas, Adv. is appearing on behalf of respondent No.2-Insurance Company. Despite service, no one appeared on behalf of respondent No.1-Claimant.

Heard on the stay application.

In the meanwhile and till the next date of hearing, it is ordered that if the appellants deposit 50% of the awarded amount while adjusting the amount already paid, with the learned Tribunal

within a period of one month, the impugned award dated 19.02.2019 passed by learned Motor Accident Claims Tribunal, Hanumangarh, in MACT claim petition No.188/2014 (CIS No.617/2014) shall remain stayed for the rest of the awarded amount till final disposal of the appeal. The amount so deposited shall be disbursed to the claimant in terms of the award. An undertaking shall be taken from the claimant that in the event the appeal of the Driver and Owner is accepted, she shall refund the amount so disbursed.

The stay application stands disposed of.

(MANOJ KUMAR GARG),J