

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

S.B. Civil Misc. Appeal No. 1077 / 2018

Iffco Tokio General Insurance Co. Ltd., Through Regional Manager,
Iffco Tokio General Insurance Co. Ltd. Regional Office, Udaipur.
(Insurer of Truck)

----Appellant

Versus

1. Shri Reshma S/o Shri Nopa Gameti, Aged About 45 Years
2. Smt. Vastu Bai W/o Shri Reshma Gameti, Aged About 42 Years,
R/o Village Luharcha Falan Sibia, Police Station Bekaria, Tehsil
Kothda, District Udaipur.
3. Shri Mohammad Khan S/o Shri Mange Khan, Aged About 29
Years, B/c Muslim R/o Sindhion Ki Dhaani, Sevdi Police Station and
Tehsil Bagoda District Jalore. (Driver of Truck)
4. Shri Pappu Khan S/o Shri Sheru Khan Musalman, Aged About
28 Years, R/o 480 Sindhion Ki Dhaani, Sevdi Police Station and
Tehsil Bagoda District Jalore. (Owner of Truck)
5. Shri Bada Ram S/o Shri Vana Ram Gameti, Aged About 25
Years, R/o Gadaliya , Tehsil Kothda, Thana Bekaria District
Udaipur. (Driver of Jeep)
6. Shri Joga Ram S/o Shri Khuma Gameti, Aged About 55 Years,
R/o Bhandor, Police Station Bekaria, Tehsil Kothda, District
Udaipur. (Owner of Jeep)
7. Smt. Haldi Bai W/o Late Dashrath Gameti, R/o Luharcha Tehsil
Kothda District Udaipur.

----Respondents

For Appellant(s) : Mr. Vishal Singhal

JUSTICE DINESH MEHTA

Order

03/05/2018

Heard. Admit.

Issue notice. Issue notice of the stay application also.

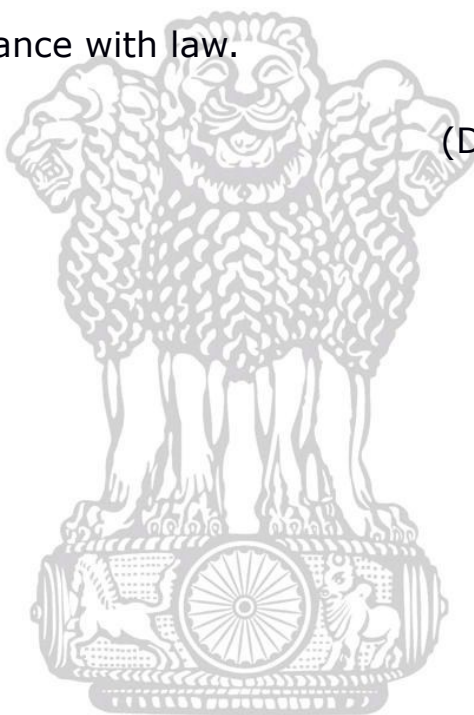
Meanwhile, recovery of the amount pursuant to the

impugned judgment and award dated 03.02.2018 passed by Motor Accident Claims Tribunal No.2, Udaipur in Claim Case No.389/2016 (Shri Reshma & Anr. Vs. Shri Mohd. Khan & Ors.) from the appellant-Insurance Company shall remain stayed, subject to a condition, that the appellant deposits a sum of Rs.4,00,000/- within a period of four weeks.

Needless to observe that the amount deposited by the appellant - Insurance Company under Section 140 and/or 1st proviso to Section 173 of Motor Vehicles Act shall be considered/adjusted towards the aforesaid amount of Rs.4,00,000/-. The amount so deposited be disbursed to the claimants in accordance with law.

(DINESH MEHTA), J.

Himanshu/- 163



सत्यमेव जयते