

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

S.B. Civil Miscellaneous Appeal No. 1475/2026

1. Gurmukh Singh S/o Maachi Singh, Aged About 40 Years, Resident Of 2 Km, Tehsil Ghadsana, District Sriganganagar, Rajasthan. (Vehicle Owner (Tractor No. Rj-07-R-6258)
2. Somdutt S/o Krishnalal, Aged About 34 Years, Resident Of 6Psdb, (Rawla Mand) Tehsil Ghadsana, Distirct Sriganganagar, Rajasthan. (Vehicle Driver (Tractor No. Rj-07-R-6258)

----Appellants

Versus

1. Jaspal Kaur W/o Jaswant Singh, Resident Of 12Mdl, Tehsil Ghadsana, District Sriganganagar.
2. Amandeep Kaur D/o Jaswant Singh, Minor Hence Is Represented By Her Natural Guardian Mother Respondent No.1, Resident Of 12Mdl, Tehsil Ghadsana, District Sriganganagar.
3. Manindra Kaur D/o Jaswant Singh, Minor Hence Is Represented By Her Natural Guardian Mother Respondent No.1, Resident Of 12Mdl, Tehsil Ghadsana, District Sriganganagar.
4. Raghuveer Singh S/o Jaswant Singh, Minor Hence Is Represented By His Natural Guardian Mother Respondent No.1, Resident Of 12Mdl, Tehsil Ghadsana, District Sriganganagar.
5. Manjeet Kaur W/o Sardul Singh, Resident Of 12Mdl, Tehsil Ghadsana, District Sriganganagar.
6. Sardul Singh S/o Sarwan Singh, Resident Of 12Mdl, Tehsil Ghadsana, District Sriganganagar.
7. Rakesh Kumar S/o M. S. Sharma, Resident Of 1757, Sector 28, Fardiabad, Hariyana.
8. The New India Insurance Company Limited, Through Regional Manager, Nh-15, Opp. Roadways Depot, Sriganganagar, Rajasthan.

----Respondents

For Appellant(s) : Mr. Aman Bishnoi

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

29/04/2026

It is contended by learned counsel for the appellant that, while deciding the claim petition, the learned Tribunal observed that the tractor bearing registration No. RJ-07-R-6528 was not

insured and that no document in this regard had been placed on record. Learned counsel submits that the said finding suffers from a gross error, inasmuch as the Insurance Policy Certificate of the vehicle in question was duly produced before the learned Tribunal and has been exhibited as Exhibit-12.

A bare perusal of Exhibit-12 prima facie indicates that the tractor bearing registration No. RJ-07-R-6528 was insured at the time of the incident. However, the said material evidence appears not to have been taken into consideration by the learned Tribunal.

The matter requires consideration.

Issue notice to the respondents, returnable within period of four weeks.

Call for the record.

In the meanwhile and till next date, the effect and operation of order dated 20.02.2026, passed by learned Motor Accident Claims Tribunal, Gharsana in MAC Case No.96/2018 titled as "*Jaspal Kaur & Ors. Vs. Gurmukh Singh & Ors.*" shall remain stayed.

(MUKESH RAJPUROHIT),J