

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

S.B. Civil Misc. Appeal No. 1971/2025

Icici Lombard Gic Ltd., Registered And Head Office At Icici Bank Tower, Bandra Kurla Complex, Bandra (East) Mumbai Through Its Authorized Representative Jodhpur Office At First Floor, Plot No. 115-3, Solitaire Building, Sps Road, Pwd Colony, Jodhpur.

----Appellant

Versus

1. Smt. Sita W/o Late Sh. Sohan Lal, R/o Dabai Tehsil Desuri, Dist Pali
2. Mst Nirmala D/o Late Sh. Sohan Lal, Through Her Natural Guardian Mother Smt. Sita, resident Of Village Dadai, Tehsil Desuri, District Pali.
3. Mst Sunder D/o Late Sh. Sohan Lal, Through Her Natural Guardian Mother Smt. Sita, resident Of Village Dadai, Tehsil Desuri, District Pali.
4. Bharat S/o Late Sh. Sohan Lal, Through Her Natural Guardian Mother Smt. Sita, resident Of Village Dadai, Tehsil Desuri, District Pali.
5. Jagdish S/o Shankar Lal, R/o Village Narlai Desuri Dist Pali (Driver)
6. Kamaluddin S/o Kalu Khan, R/o Village Narlai Tehsil Desuri Dist Pali

----Respondents

For Appellant(s) : Mr. Jagdish Vyas.

For Respondent(s) : Mr. Bharat Shrimali.

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

23/02/2026

1. Learned counsel for the appellant submits that the FIR was initially registered against an unknown vehicle, thereafter, the insured vehicle was substituted in its place.
2. The matter requires consideration.

3. Admit. Issue notice.
4. Learned counsel – Mr. Bharat Shrimali appears and accepts notice on behalf of respondent Nos.1 to 4.
5. At the oral request of learned counsel for appellant, service of notice upon respondent No.5 is dispensed with at the risk and cost of the appellant.
6. Let notice be issued to respondent No.6 only.
7. List after eight weeks.
8. Meanwhile, effect and operation of the impugned judgment and award dated 12.02.2025 passed by the learned Judge, Motor Accident Claim, Desuri, District Pali in MAC Case No.03/2022 (25/2018), shall remain stayed subject to the condition that the appellant - Insurance Company deposits 60 % of the amount (with interest) awarded by the Tribunal within a period of eight weeks.
9. Upon deposit, the amount so deposited shall be disbursed to the claimants-respondents by the Tribunal in accordance with law.
10. It is made clear that if the amount as directed by this Court is not deposited within the stipulated time, the respondent-claimants shall be free to proceed with the execution of the impugned award.

(MUKESH RAJPUROHIT),J