

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

S.B. Civil Writ Petition No. 9551/2026

Tata Aig General Insurance Company Limited, Through The Manager Plot No. C 93, C94, Office No. 101-130, Fortune Heights, Subhash Nagar, Near Ahinsa Circle, C Scheme. Jaipur, Rajasthan. Through Its Authorized Signatory Shri Ashok Kumar Sharma S/o Dal Chand Sharma Aged 34 Years At Present Working As Chief Manager, Legal. (Insurance Company Of Vehicle Rj-37-Sv-7592)

----Petitioner

Versus

1. Smt. Santosh Puri W/o Late Shri Narendra Puri, Aged About 28 Years, R/o Gangwa, Tehsil Parbatsar, District Nagaur, Rajasthan.
2. Vaibhav Puri S/o Late Shri Narendra Puri (Minor), Aged About 5 Years, R/o Gangwa, Tehsil Parbatsar, District Nagaur, Rajasthan. Through Natural Guardian Mother Smt. Santosh Puri.
3. Mumal Puri D/o Late Shri Narendra Puri (Minor), Aged About 3 Years, R/o Gangwa, Tehsil Parbatsar, District Nagaur, Rajasthan. Through Natural Guardian Mother Smt. Santosh Puri.
4. Dileep Giri S/o Shri Champa Giri, Resident Of 164, Daroga Ka Mohalla, Village Maanana, Tehsil Makrana, District Nagaur. (Owner Of Vehicle Rj -37-Sv-7592).

----Respondents

For Petitioner(s) : Mr. Aditya Singhi

For Respondent(s) :

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

05/05/2026

Learned counsel for the petitioner submits that the insurance policy in question included a Compulsory Personal Accident (CPA) cover for the "Owner-Driver," for which a premium had duly been

charged. However, the Insurance Company, in its reply, has contended that the deceased did not qualify as the "Owner-Driver" under the terms of the policy but was merely a borrower of the vehicle, thereby constituting a clear breach of the policy conditions. It is further submitted that the Permanent Lok Adalat erred in law while adjudicating the claim petition, as it failed to consider this material aspect of the case and consequently passed the impugned award without proper appreciation of the facts and applicable policy terms.

The matter requires consideration.

Issue notice to respondent(s), returnable within six weeks.

In the meanwhile and till the next date of hearing, effect and operation of the order dated 09.02.2026 passed by the learned Permanent Lok Adalat, Merta, Nagaur in Case No.22/2023, shall remain stayed.

List after eight weeks.

(MUKESH RAJPUROHIT),J