

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

S.B. Civil Misc. Appeal No. 1215/2022

1. Ladu Lal S/o Bhanwar Lal Dhakad, Aged About 37 Years, R/o Fatehnagar, Nayagaon, Tehsil Bijoliya, Distt. Bhilwara. (Owner Tractor No. Rj-06-Rb-6048)
2. Unkar Lal S/o Uda Dhakad, Aged About 40 Years, R/o Umar, Tehsil Begun, Distt. Chittorgarh. (Correct District Mentioned) (Owner Trolley No. Rj-09-Ea-2392)
3. Shankar Lal S/o Mangi Lal Gurjar, Aged About 44 Years, R/o Tehla, Tehsil Mandalgarh, Distt. Bhilwara (Driver)

----Appellants

Versus

1. Lali Devi W/o Hajari Meena, R/o Nayagaon, P.s. Bijoliya, Distt. Bhilwara (Raj.)
2. Hajari S/o Dewa Meena, R/o Nayagaon, P.s. Bijoliya, Distt. Bhilwara (Raj.)
3. Roshan S/o Hajari Meena, Now Major, R/o Nayagaon, P.s. Bijoliya, Distt. Bhilwara (Raj.)
4. Miss Parvati D/o Hajari Meena, Now Major, R/o Nayagaon, P.s. Bijoliya, Distt. Bhilwara (Raj.)
5. Miss Mema D/o Hajari Meena, Now Major, R/o Nayagaon, P.s. Bijoliya, Distt. Bhilwara (Raj.)
6. Miss Rekha @ Renu D/o Hajari Meena, Minor Through Her Natural Guardian Mother Smt. Lali Devi (Res. No. 1) R/o Nayagaon, P.s. Bijoliya, Distt. Bhilwara (Raj.)
7. The Oriental Insurance Company Ltd., Through Divisional Manager, The Oriental Ins. Co. Ltd. Bhilwara. (Insurer Tractor No. Rj-06-Rb-6048)
8. United India Insurance Company Ltd., Through Divisional Manager, United India Ins. Co. Ltd. Bhilwara. (Insurer Trolley No. Rj-09-Ea-2392)

----Respondents

For Appellant(s)	:	Mr. Manish Kumar Pitliya
For Respondent(s)	:	

HON'BLE MR. JUSTICE FARJAND ALI

Order**21/10/2022**

Heard.

Issue notice of the appeal as well as stay application to the respondents, returnable on 29.11.2022.

Call for record.

Learned counsel for the appellant submits that the Insurer is absolved from the liability to pay the amount of compensation as awarded by the learned Tribunal yet he has paid the amount to the claimants and now, the Insurer has initiated the recovery proceeding against the appellant. The execution proceeding is going on, thus, he has prayed that till the next date of hearing recovery proceeding qua the appellant may be stayed.

Thus, it is ordered that till next date of hearing, the execution proceeding against the appellant shall remain stayed.

(FARJAND ALI),J

25-Anshul/-



सत्यमेव जयते