

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODH-
PUR**

S.B. Civil Misc. Appeal No. 1415/2022

The Oriental Insurance Co. Ltd., Through Its Divisional Manager,
Bhansali Tower, Residency Road, Jodhpur.

----Appellant

Versus

1. Neetu W/o Late Shri Jagdish, Aged About 28 Years, B/c Sargara, R/o Hemawas, Tehsil And Distt. Pali, Rajasthan.
2. Maya D/o Late Shri Jagdish, Aged About 11 Years, Through Natural Guardian Mother Neetu B/c Sargara, R/o Hemawas, Tehsil And Distt. Pali, Rajasthan.
3. Deepika D/o Late Shri Jagdish, Aged About 9 Years, Through Natural Guardian Mother Neetu B/c Sargara, R/o Hemawas, Tehsil And Distt. Pali, Rajasthan.
4. Priyanka D/o Late Shri Jagdish, Aged About 8 Years, Through Natural Guardian Mother Neetu B/c Sargara, R/o Hemawas, Tehsil And Distt. Pali, Rajasthan.
5. Parwati D/o Late Shri Jagdish, Aged About 6 Years, Through Natural Guardian Mother Neetu B/c Sargara, R/o Hemawas, Tehsil And Distt. Pali, Rajasthan.
6. Pooja S/o Late Shri Jagdish, Aged About 6 Years, Through Natural Guardian Mother Neetu B/c Sargara, R/o Hemawas, Tehsil And Distt. Pali, Rajasthan.
7. Vishal S/o Late Shri Jagdish, Aged About 4 Years, Through Natural Guardian Mother Neetu B/c Sargara, R/o Hemawas, Tehsil And Distt. Pali, Rajasthan.
8. Mangi Lal S/o Bhura Ram, Aged About 64 Years, B/c Sargara, R/o Hemawas, Tehsil And Distt. Pali, Rajasthan.
9. Kanya W/o Mangi Lal, Aged About 59 Years, B/c Sargara, R/o Hemawas, Tehsil And Distt. Pali, Rajasthan.
10. Kanti Lal S/o Kesaram, B/c Ghanchi, R/o Bala, Tehsil And Distt. Pali Raj. (Driver Cum Owner)

----Respondents

For Appellant(s)	:	Mr. LD Khatri
For Respondent(s)	:	

HON'BLE MR. JUSTICE MADAN GOPAL VYAS**Order****12/09/2022**

Heard.

Admit.

Issue notice to the respondents. Issue notice of stay application also, returnable within six weeks.

Call for the record.

Heard on stay application.

Having regard to the facts and circumstances of the case, it is considered appropriate and hence ordered that in the meanwhile if the appellant deposits 70% of the award amount, along with the interest as mentioned in the impugned award before the Tribunal within a period of one month, the recovery of the remaining amount under the impugned award dated 19.04.2022 shall remain stayed.

The deposited amount may be disbursed to the claimants in the manner and proportion as contemplated in the impugned award with the undertaking that if the appellant in the present appeal succeeds, he/she/they shall refund the same alongwith interest in accordance with law.

It is made clear that the amount previously deposited by the appellant, if any, shall be adjusted towards the said amount.

(MADAN GOPAL VYAS),J