

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

S.B. Civil Misc. Appeal No. 1824/2012

Jagdish Das

----Appellant

Versus

Dalla Ram And Ors.

----Respondent

Connected With

S.B. Civil Misc. Appeal No. 1343/2012

Dalla Ram

----Appellant

Versus

Jagdish Das And Ors.

----Respondent

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|-------------------|---|------------------------|
| For Appellant(s)  | : | Mr. Manish Rajpurohit. |
| For Respondent(s) | : | Mr. Vishal Singhal.    |

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**HON'BLE MR. JUSTICE MUKESH RAJPUROHIT**

**Order**

**28/03/2026**

**In S.B. Civil Misc. Appeal No. 1824/2012:-**

1. Learned counsel for the parties stated at the Bar that the appeal may be allowed, as the respondent-Insurance Company has agreed to enhancement of the award by a lump sum amount of Rs. 1,25,000/- over and above the amount awarded by the learned Tribunal. In view thereof, instant appeal filed by the claimant, deserves to be allowed.
2. Accordingly, the instant appeal is allowed. The respondent-Insurance Company is directed to deposit the enhanced amount of Rs. 1,25,000/- (lump sum) within a period of eight (08) weeks

from today. In the event the aforesaid amount is not deposited within the stipulated period, the Insurance Company shall be liable to pay interest @ 7% per annum from today till the date of actual payment to the claimant-appellant.

3. Pending applications, if any, also stand disposed of.

**In S.B. Civil Misc. Appeal No. 1343/2012 :-**

1. Learned counsel for the parties are *ad idem* that the controversy involved in the connected appeal is squarely covered by the judgment of the Hon'ble Supreme Court in ***Mukund Devangan v. Oriental Insurance Co. Ltd. , (2017) 14 SCC 66***, wherein it has been held that a holder of a valid Light Motor Vehicle (LMV) licence is competent to drive a transport vehicle of such class not exceeding 7500 kg and no separate endorsement is required. Thus, no breach of policy conditions can be said to have been committed and the liability of the Insurance Company cannot be avoided.

2. In view of the above, the present appeal filed by the owner/driver, is also disposed of in terms of the aforesaid judgment.

3. It is further recorded that learned counsel for the Insurance Company has fairly submitted that the Insurance Company shall not initiate any recovery proceedings against the owner/driver, namely Dalla Ram.

4. Pending applications, if any, also stand disposed of.

**(MUKESH RAJPUROHIT),J**