

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

S.B. Civil Writ Petition No. 15418/2024

Shri Ram Auto Mall India Limited, Through Branch Manager, Agra  
Road Udasar, Ridmatsar Purohitan, Bikaner (Raj.)

-----Petitioner

Versus

1. Smt. Sunita W/o Late Kamal Kumar, Aged About 39 Years,  
Ward No.18 Anoopgarh, Tehsil Anoopgarh, District Sri  
Ganganagar (Raj.)
2. Aryan Chugh S/o Late Kamal Kumar, Aged About 16  
Years, Minor Through Mother And Natural Guardian, Resp.  
No.1 Smt. Sunita W/o Late Kamal Kumar, Aged About 39  
Years, Ward No.18 Anoopgarh, Tehsil Anoopgarh, District  
Sri Ganganagar (Raj.)
3. Manvi Chugh D/o Late Kamal Kumar, Aged About 12  
Years, Minor Through Mother And Natural Guardian, Resp.  
No.1 Smt. Sunita W/o Late Kamal Kumar, Aged About 39  
Years, Ward No.18 Anoopgarh, Tehsil Anoopgarh, District  
Sri Ganganagar (Raj.)
4. Smt. Prem Lata W/o Late Shiv Narayan, Aged About 68  
Years, Ward No.18 Anoopgarh, Tehsil Anoopgarh, District  
Sri Ganganagar (Raj.)
5. Dinesh Kumar S/o Pradeep Kumar, Aged About 40 Years,  
Chak - 30 Lnp, Tehsil Padampur, District Sri Ganganagar  
(Raj.)
6. Rampratap S/o Hemraj, Chak - 17 Khm Thana Dantaur,  
Tehsil Khajuwala, District Bikaner (Raj.)

-----Respondents

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For Petitioner(s) : Mr. Vishal Singhal

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**HON'BLE MS. JUSTICE REKHA BORANA**

**Order**

**20/09/2024**

1. Learned counsel for the petitioner, at the very inception,  
limits his challenge to the order dated 21.02.2024 (Annx.6)

whereby the application as preferred on behalf of the petitioner Insurance Company for impleadement of 'Go Digital General Insurance Company Limited', was rejected.

2. In view of the same, so far as challenge of the petitioner to order dated 03.05.2024 (Annx.8) is concerned, the petition is dismissed to that extent.

3. Regarding the order dated 21.02.2024, learned counsel for the petitioner submits that the learned Tribunal has wrongly relied upon the document in question to be an Insurance Policy whereas the same was a plan for protection offered by the petitioner company and backed by Go Digital General Insurance Company Limited. The claim of the claimants being based on the said alleged policy, Go Digital General Insurance Company Limited is an essential party to the present litigation.

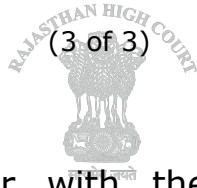
4. In view of the submission made, Issue notice. Issue notice of stay application also.

Notices be filed in two sets within a period of one week. On the same being filed, one set be given '*dasti*' to learned counsel for the petitioner for service through registered post acknowledgment due. Notices be made returnable on 21.10.2024.

Postal receipts of the '*dasti*' notices be filed within a period of one week from the date of receipt of '*dasti*' notices.

5. Meanwhile, further proceedings in MAC Case No.29/2020 (CIS No.29/2020) pending before the Additional District Judge No.1, Anoopgarh, District Sriganganagar shall remain stayed.

6. However, if the claimants agree to impleadement of 'Go Digital General Insurance Company Limited' as a party respondent in the present claim petition, the learned Tribunal shall be at



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liberty to proceed further with the claim proceedings after impleading the said Insurance Company as party respondent. In that circumstance, the present order shall cease to exist.

**(REKHA BORANA),J**

13-Devanshi/-