

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

S.B. Civil Misc. Appeal No. 2703/2024

National Insurance Co. Ltd., through its Sr. Divisional Manager
(Legal Hub) 3-4, Sun Tower, Main Pal Road, Jodhpur.

----Appellant

Versus

1. Smt. Chhaya Kunwar W/o Late Shri Jitendra Singh Chundawat, Aged About 32 Years, by Profession House Wife, R/o Senala, Aajana, Tehsil Gaddi, District Banswara, Rajasthan.
2. Shouraya Veer Singh S/o Late Shri Jitendra Singh Chundawat, Aged About 11 Years, R/o Senala through his Natural Guardian Mother Smt. Chhaya Kunwar Respondent No.1
3. Smt. Pep Kunwar W/o Shri Ranjeet Singh Chundawat, Aged About 58 Years, by Profession House Wife, R/o Senala, Aajana, Tehsil Gaddi, District Banswara, Rajasthan.
4. Ranjeet Singh S/o Shri Tej Singh Chundawat, Aged About 59 Years, R/o Senala, Aajana, Tehsil Gaddi, District Banswara, Rajasthan.
5. Mahendra Singh S/o Khuman Singh, Aged About 35 Years, R/o Dewala Kala Jodhpur, Khurd Tehsil Salumber Police Thana Jhallara Distt. Udaipur (Raj.) (Owner Cum Driver Of Offending Motor Cycle)

----Respondents

For Appellant(s)	:	Mr. Narendra Kumar Joshi
For Respondent(s)	:	Mr. Gaju Singh Rathore

HON'BLE MR. JUSTICE MADAN GOPAL VYAS

Order

08/10/2024

Heard.

2. Admit. Issue notice to respondents, returnable after six weeks.

3. Heard on stay application.
4. 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 25.06.2024 shall remain stayed.
5. 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.
6. It is made clear that the amount previously deposited by the appellant, if any, shall be adjusted towards the said amount.
7. Accordingly, stay petition stands disposed of.

(MADAN GOPAL VYAS),J