

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

S.B. Civil Misc. Appeal No. 76/2023

Manoj @ Mukesh W/o Late Sh. Pukhraj Ji Khatod, Aged About 46 Years, By Caste Jain, Proprietor Nakoda Traders, R/o Gundipada, Thesil And District Chittorgarh. (Raj.)

-----Appellant

Versus

1. Hdfc Ergo General Insurance Company Limited, Through Branch Manager, Hdfc Ergo, 3Rd Floor, Upasana Tower, C-Scheme, Jaipur (Raj.) (Insurer)
2. Murlidhar S/o Kanhaiya Lal Mundra, R/o Hamirgarh, Ps Hamirgarh, District Bhilwara. (Raj.) (Owner)
3. Lrs Of Ladu Lal, S/o Roop Lal Ji Nayak, Through His Lrs-
 - a. Smt. Kanchan Devi W/o Late Ladu Lal, By Caste Nayak, R/o Hamirgarh, Ps Hamirgarh, District Bhilwara. (Raj.)
 - b. Durga Lal S/o Late Ladu Lal, By Caste Nayak, R/o Hamirgarh, Ps Hamirgarh, District Bhilwara. (Raj.)
 - c. Roshan Lal S/o Late Ladu Lal, By Caste Nayak, R/o Hamirgarh, Ps Hamirgarh, District Bhilwara. (Raj.)

-----Respondents

For Appellant(s) : Mr. Manish Pitaliya.

For Respondent(s) : Mr. Vishal Singhal.

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

27/03/2026

The instant appeal has been filed against the judgment and award dated 16.09.2022 passed by learned Judge Motor Accident Claims Tribunal, Chittorgarh in Motor Accident Claim Case No.47/2013 whereby the learned tribunal has awarded a sum of Rs.3,44,211/- in favour of the appellant.

Learned counsel for the parties submit that they have entered into a memorandum of understanding and the insurance company has agreed to pay a further enhanced sum of Rs.13,00,000/- towards full and final settlement of the claim made by the appellant.

Therefore, it is prayed that the present appeal may be disposed of in the light of the memo of understanding entered into between the parties.

In view of above, it is ordered that the above said enhanced amount of Rs.13,00,000/- shall be paid by the insurance company, in equal proportion, to the appellant within a period of two months from today. If the said amount is not paid by the insurance company within a period of two months, the insurance company shall pay interest @ 7% from today on the enhanced amount till the amount is actually paid to the appellant.

The appeal stands disposed of in above terms. The memorandum of understanding is taken on record.

Stay petition and all pending applications, if any, also stand disposed of.

(MUKESH RAJPUROHIT),J