



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

S.B. Civil Misc. Appeal No. 110/2026

1. Smt. Sonal W/o Krishanpal Singh Bhati, Aged About 36 Years, Auva, Ps Marwad, District Pali, At Present Residing At 258 Janakpuri, Near Transport Nagar, Udaipur, District Udaipur.
2. Sushri Nivedita D/o Krishanpal Singh Bhati, Aged About 6 Years, Minor Through Mother Smt Sonal W/o Krishnapal Singh Bhati R/o Auva, Ps Marwad, District Pali, At Present Residing At 258 Janakpuri, Near Transport Nagar, Udaipur, District Udaipur
3. Nishit Singh S/o Krishanpal Singh Bhati, Aged About 5 Years, Minor Through Mother Smt Sonal W/o Krishnapal Singh Bhati R/o Auva, Ps Marwad, District Pali, At Present Residing At 258 Janakpuri, Near Transport Nagar, Udaipur, District Udaipur

----Appellants

Versus

1. Sukumar Verma S/o Pushkarnarayan Verma, 1324 R-2 Jaishree Colony, Near Dhoolkot Choraha, Udaipur (Driver/ Owner)
2. Kotak Mahindra General Insurance Company, Through Manager Corporate Office 27-Bkc 27 G Block, Bandra Kurla, Complex Bandra East Mumbai.
3. Shaitan Singh S/o Shri Goverdhan Singh, Auva, Ps Marwad, District Pali. Died During Claim Proceedings
4. Smt Madhu Devi Spouse/o Shri Shaitan, Auva, Ps Marwad, District Pali.

----Respondents

For Appellant(s)	:	Mr. GS Rathore. Mr. Aman Bishnoi.
For Respondent(s)	:	Mr. Aditya Singhi.

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

27/03/2026

The instant appeal has been filed for enhancement of compensation awarded vide Judgment and Award dated 21.07.2025 passed by the Motor Accident Claims Tribunal No.2, Udaipur in MAC Case No.885/2023 Titled as "*Smt. Sonal & Ors.*"



Vs. Sukumar Verma & Ors.", whereby an amount of Rs.1,81,55,700/- was awarded in favour of claimant(s) as compensation.

Learned counsel for the parties submit that they have entered into a compromise and have executed a Memorandum of Understanding, whereby the respondent-Insurance Company has agreed to pay a sum of Rs.2,25,00,000/- towards full and final settlement in respect of the accident dated 13.02.2021 and MACT Case No.885/2023, decided vide order dated 21.07.2025 passed by the learned Judge, Motor Accident Claims Tribunal No. 2, Udaipur.

In the present case, no amount has been paid to the claimants till date. The amount of Rs.2,25,00,000/- is agreed to be paid in complete settlement of the MACT award dated 21.07.2025 passed in MACT Case No. 885/2023 as well as CMA No.110/2026 (enhancement appeal) pending before this Court. Therefore, it is prayed that the present appeal may be disposed of in light of the Memorandum of Understanding entered into between the parties.

In view of the above, it is ordered that the total lump-sum amount of Rs.2,25,00,000/- shall be paid by the respondent-Insurance Company to the claimants-appellants within a period of two months. In the event the said amount is not paid within the stipulated period, the Insurance Company shall be liable to pay interest @ 7% per annum from today on the enhanced amount till the date of actual payment to the appellants.

As per the Memorandum of Settlement, payment of the consolidated amount of Rs. 2,25,00,000/- by the Insurance



Company shall finally settle and extinguish all claims arising out of the accident dated 13.02.2021, including the claim pertaining to the death of deceased Krishnpal.

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

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

(MUKESH RAJPUROHIT),J

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