

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

S.B. Civil Misc. Appeal No. 157/2026

Tata A.I.G. General Insurance Company Limited, Branch F 3
Shreeji Tower C 99 First Floor Shubash Marg C Scheme Jaipur
District Jaipur

----Appellant

Versus

1. Bharat S/o Shri Daya, Village Paraheda Tehsil Garhi Dist
Banswara
2. Bharat S/o Shri Shankarlal, Ratanpura Nagoma Tehsil
Bagidora District Banswara (Driver- Owner)

----Respondents

Connected With

S.B. Civil Misc. Appeal No. 163/2026

Tata A.I.G. General Insurance Company Ltd., Branch F-3 Shreeji
Tower, C- 99, First Floor, Shubhash Marg C Scheme Jaipur, Dist
Jaipur (Raj) 302001 (Insurer Of Motorcycle)

----Appellant

Versus

1. Pawan S/o Shri Dhula, Aged About 32 Years, R/o Village
Paraheda, Tehsil Garhi, Dist Banswara, Rajasthan
(Claimant)
2. Bharat S/o Sh. Shankar Lal, R/o Ratanpura Nogama,
Tehsil Bagidora, District Banswara (Raj) (Owner-Driver Of
Motorcycle)

----Respondents

For Appellant(s)	:	Mr. Vishal Singhal
For Respondent(s)	:	Mr. RS Bhati.

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

27/03/2026

In S.B. Civil Misc. Appeal No. 157/2026:-

1. It is contended by learned counsel for the appellant-
Insurance Company that the impugned award has been assailed,
inter alia, on the grounds that there was an inordinate delay of 16

days in lodging the FIR and that the insured vehicle has been falsely implicated in the alleged accident.

2. The matter requires consideration.

3. Admit. Issue notice.

4. Mr. RS Bhati, learned counsel has put in appearance on behalf of respondent No.1.

5. Let the notices be issued to respondent No.2.

6. List after six weeks.

7. Meanwhile, effect and operation of the impugned judgment and award dated 04.09.2025 passed by the learned Judge, Family Court, Banswara Rajasthan in Motor Accident Claim Case No.270/2023 shall remain stayed qua the appellant subject to the condition that the appellant-insurance company deposits 70% of the amount (with interest) awarded by the Tribunal vide award dated 04.09.2025 within a period of eight weeks.

8. The deposited amount may be disbursed to the respondent-claimant in the manner and proportion as contemplated in the impugned judgment and award with the undertaking that if the appellant-insurance company succeeds, they shall refund the same along with interest in accordance with law.

9. It is made clear that the amount, if any, previously deposited by the appellant-insurance company, shall be adjusted towards the said amount.

10. Learned trial Court is directed to send the record after disbursement of the claim amount to the respondent.

11. It is made clear that if the amount as directed by this Court is not deposited within the stipulated time, the respondent-

claimant(s) shall be free to proceed with the execution of the impugned award.

12. Connect with S.B. Civil Misc. Appeal Nos.320/2026 & 463/2026.

In S.B. Civil Misc. Appeal No. 163/2026:-

1. It is contended by learned counsel for the appellant-Insurance Company that the impugned award has been assailed, inter alia, on the grounds that there was an inordinate delay of 16 days in lodging the FIR and that the insured vehicle has been falsely implicated in the alleged accident.
2. The matter requires consideration.
3. Admit. Issue notice.
4. Mr. RS Bhati, learned counsel has put in appearance on behalf of respondent No.1.
5. Let the notices be issued to respondent No.2.
6. List after six weeks.
7. Meanwhile, effect and operation of the impugned judgment and award dated 04.09.2025 passed by the learned Judge, Family Court, Banswara Rajasthan in Motor Accident Claim Case No.274/2023 shall remain stayed qua the appellant subject to the condition that the appellant-insurance company deposits 70% of the amount (with interest) awarded by the Tribunal vide award dated 04.09.2025 within a period of eight weeks.
8. The deposited amount may be disbursed to the respondent-claimant in the manner and proportion as contemplated in the impugned judgment and award with the undertaking that if the

appellant-insurance company succeeds, they shall refund the same along with interest in accordance with law.

9. It is made clear that the amount, if any, previously deposited by the appellant-insurance company, shall be adjusted towards the said amount.

10. Learned trial Court is directed to send the record after disbursal of the claim amount to the respondent.

11. It is made clear that if the amount as directed by this Court is not deposited within the stipulated time, the respondent-claimant(s) shall be free to proceed with the execution of the impugned award.

12. Connect with S.B. Civil Misc. Appeal Nos.320/2026 & 463/2026.

(MUKESH RAJPUROHIT),J