

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

S.B. Civil Misc. Appeal No. 83/2025

National Insurance Company Limited, Through Deputy Manager,
Sun Tower, 4Th Floor, Above Passport Office, Pal Road, Jodhpur.

----Appellant

Versus

1. Gajendra Singh S/o Sajjan Singh Rajput, Aged About 45 Years, R/o Daduka, At Present Resident Of -G-4, Royal Lotus Apartment, Opposite Sant Marriage School, Teetardi Road, Uraipur. (Claimants)
2. Sushri Dhruvi Raj D/o Gajendra Singh, Aged About 9 Years, (Respondent No.2 Is Minor Through Its Natural Guardian Father Gajendra Singh) R/o Daduka, At Present Resident Of -G-4, Royal Lotus Apartment, Opposite Sant Marriage School, Teetardi Road, Uraipur. (Claimants)
3. Kalyal Dendor S/o Nathu Ji Dendor, Aged Major, R/o Noliyawada Via Kuna, Tehsil Simalwara, District Dungarpur. (Driver)
4. Natwar Lal S/o Ganesh Lal Khatik, Aged Major, R/o Babi Ka Tanda, Mor, Tehsil Gadi, District Banswara. (Owner)
5. Natwar Lal S/o Ganesh Lal Khatik,, R/o Babi Ka Tanda, Mor, Tehsil Gadi, District Banswara.

----Respondents

Connected With

S.B. Civil Misc. Appeal No. 66/2025

National Insurance Company Limited, Through Deputy Manager,
Sun Tower, 4Th Floor, Above Passport Office, Pal Road, Jodhpur

----Appellant

Versus

1. Smt. Priyanka Kunwar W/o Late Harveer Singh Chundawat, Aged About 40 Years, R/o Amartiya, At Present R/o G-3, Royal Lotus Apartment, Opp. Sant Marriage School, Teetardi Road, Udaipur
2. Yudhveer Singh S/o Harveer Singh Chundawat, Aged About 21 Years, R/o Amartiya, At Present R/o G-3, Royal Lotus Apartment, Opp. Sant Marriage School, Teetardi Road, Udaipur

3. Sushri Suman Chundawat D/o Harveer Singh Chundawat, Aged About 19 Years, R/o Amartiya, At Present R/o G-3, Royal Lotus Apartment, Opp. Sant Marriage School, Teetardi Road, Udaipur
4. Tej Sing S/o Late Kishore Singh Chundawat, Aged About 73 Years, R/o Amartiya, At Present R/o G-3, Royal Lotus Apartment, Opp. Sant Marriage School, Teetardi Road, Udaipur
5. Sushila Kunwar W/o Tej Singh Chundawat, Aged About 67 Years, R/o Amartiya, At Present R/o G-3, Royal Lotus Apartment, Opp. Sant Marriage School, Teetardi Road, Udaipur
6. Kalyal Dendor S/o Nathu Ji Dendor, R/o Noliyawada Via Kuna, Tehsil Simalwara, Dist. Dungarpur (Driver)
7. Natwar Lal S/o Ganesh Lal Khatik, R/o Babi Ka Tanda, Mor, Tehsil Gadi, Dist. Banswara (Owner)

----Respondents

S.B. Civil Misc. Appeal No. 81/2025

National Insurance Company Limited, Through Deputy Manager,
Sun Tower, 4Th Floor, Above Passport Office, Pal Road, Jodhpur

----Appellant

Versus

1. Gajendra Singh S/o Sajjan Singh Rajput, Aged About 45 Years, R/o Daduka, At Present R/o G-4, Royal Lotus Apartment, Opp. Sant Marriage School, Teetardi Road, Udaipur
2. Sushri Dhruvi Raj D/o Gajendra Singh, Aged About 9 Years, Minor Through Its Natural Guardian Father Gajendra Singh R/o Daduka, At Present R/o G-4, Royal Lotus Apartment, Opp. Sant Marriage School, Teetardi Road, Udaipur
3. Kalyal Dendor S/o Nathu Ji Dendor, R/o Noliyawada Via Kuna, Tehsil Simalwara, Dist. Dungarpur (Driver)
4. Natwar Lal S/o Ganesh Lal Khatik, R/o Babi Ka Tanda, Mor, Tehsil Gadi, Dist. Banswara (Owner)

----Respondents

For Appellant(s) : Mr. Sunil Vyas.
For Respondent(s) : Mr. Gajju Singh Rathore.

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

23/01/2026

1. Admit.
2. Learned counsel Mr. Gajju Singh Rathore appears on behalf of respondent-claimant Nos. 1 and 2.
3. Issue notice to respondent Nos. 3 and 4. Issue notice of the stay application also, returnable within four weeks.
4. Learned counsel for the appellant submits that the certified copy of the same order has already been filed alongwith CMA No. 81/2025. In view thereof, the application for dispensing with the filing of certified copy of the said order is hereby dispensed with.
5. With the consent of the parties, the matter was heard upon the stay application.
6. Meanwhile, effect, operation and execution of the judgment and award dated 10.09.2024 passed by learned Motor Accident Claims Tribunal No. 1, Udaipur shall remain stayed, subject to the Insurance Company depositing 70% of the amount (with interest) as awarded by the learned Tribunal within a period of four weeks from now. The amount already deposited shall be adjusted qua the amount to be deposited now. The amount when deposited be disbursed to the claimants in terms of the award. It is made clear that in case, the said amount so directed by this Court is not deposited within the time stipulated, the respondents-claimants

shall be free to proceed with the execution of the award impugned.

7. The record of the learned Tribunal be sent to this Court after disbursal of the amount to the claimants-respondents.

8. List these matters after four weeks.

(SANJEET PUROHIT),J

143-145-sumer/-