

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

S.B. Civil Misc. Appeal No. 3469/2025

National Insurance Company Limited, Through Its Divisional  
Manager, Divisional Office Udaipur. ( Insurance Company)

----Appellant

Versus

1. Durga Dangi W/o Shri Narayanlal Dangi, Residents Of Jharano Ki Sarai, Devari, Tehsil Girwa, District Udaipur
2. Narayanlal Dangi S/o Shri Ramlal Dangi, Resident Of Jharano Ki Sarai, Devari, Tehsil Girwa, District Udaipur.
3. Bablu Berwa S/o Shri Mangalaram Berwa, Resident Of Singawal, Police Station Bhinay, District Ajmer. (Vehicle Driver, Trailer No. Rj-09.gc9422)
4. Devraj Jat S/o Shri Ramkaran Jat, Resident Of Sathana Road, Daulatpura, Vijayanagar, Ajmer. ( Vehicle Owner, Trailer No. R-09.gc-9422)

----Respondents

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| For Appellant(s)  | : | Mr. Koshlendra Vallabh Vyas.          |
| For Respondent(s) | : | Mr. Bajrang Singh for Mr. RS Chouhan. |

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**HON'BLE MR. JUSTICE MUKESH RAJPUROHIT**

**Order**

**27/03/2026**

1. It is contended by learned counsel for the appellant-Insurance Company that the issue with respect to delay and limitation in filing the claim is pending consideration before the Hon'ble Apex Court.
2. The matter requires consideration.
3. Mr. Bajrang Singh, learned counsel has put in appearance on behalf of respondent No.1 & 2.
4. Let the notices be issued to respondent Nos.3 & 4.
5. List after six weeks.
6. Meanwhile, effect and operation of the impugned judgment and award dated 21.07.2025 passed by the learned Judge, Motor

Accident Claims Tribunal No.1, District Udaipur in Motor Accident Claim Case No.70/2023 shall remain stayed qua the appellant subject to the condition that the appellant-insurance company deposits 50% of the amount (with interest) awarded by the Tribunal vide award dated 21.07.2025 within a period of eight weeks.

7. The deposited amount may be disbursed to the respondents-claimants 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.

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

9. Learned trial Court is directed to send the record after disbursement of the claim amount to the respondent(s).

10. 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.

**(MUKESH RAJPUROHIT),J**