

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

S.B. Civil Misc. Appeal No. 94/2026

United India Insurance Co. Ltd., Through In Charge, T. P. Claims
Hub, 74-A, Bhati N Plaza, Main Pal Road, Jodhpur. (Insurer)

----Appellant

Versus

1. Smt. Sukhi W/o Late Shravan @ Shravanram, Aged About 37 Years, R/o Behind Roadways Dipo, Nagour, Tehsil And Dist- Nagour (Raj)
2. Miss Pooja D/o Late Shravan@ Shravanram, Aged About 20 Years, R/o Behind Roadways Dipo, Nagour, Tehsil And Dist- Nagour (Raj)
3. Miss Suman D/o Late Shravan @shravanram, Aged About 17 Years, Respondent Number 3 Is Minor Through Natural Guardian Mother Respondent Number-1 Smt Sukhi, R/o Behind Roadways Dipo, Nagour, Tehsil And Dist- Nagour (Raj)
4. Bajrang Alias Vijendra S/o Late Shravan @ Shravanram, Aged About 11 Years, Respondent Number 4 Is Minor Through Natural Guardian Mother Respondent Number-1 Smt Sukhi, R/o Behind Roadways Dipo, Nagour, Tehsil And Dist- Nagour (Raj)
5. Likhma Ram S/o Laadu Ram, Aged About 51 Years, R/o Singad, Ps Sadar, Nagour Tehsil And Dist- Nagour Raj (Driver)
6. Nemaram S/o Jetharam, Aged About 63 Years, R/o Shyamsar P.s. Shree Baalaji, Dist- Nagour (Owner)

----Respondents

Connected With

S.B. Civil Misc. Appeal No. 690/2026

1. Smt. Sukhi W/o Late Shrawan @ Shrawan Ram, Aged About 41 Years, Resident Of Behind Roadways Depot Nagaur Tehsil And District Nagaur
2. Pooja D/o Late Shrawan @ Shrawan Ram, Aged About 24 Years, Resident Of Behind Roadways Depot Nagaur Tehsil And District Nagaur
3. Suman D/o Late Shrawan @ Shrawan Ram, Aged About 21 Years, Resident Of Behind Roadways Depot Nagaur

Tehsil And District Nagaur

4. Bajrang @ Vijendra S/o Late Shrawan @ Shrawan Ram, Aged About 15 Years, The Appellant No 4 Being Minor Through Natural Guardian Mother Smt Sukhi Wife Of Late Shrawan @ Shrawan Ram Aged 41 Years Resident Of Behind Roadways Depot Nagaur Tehsil And District Nagaur

----Appellants

Versus

1. Likhma Ram S/o Ladu Ram, Resident Of Singad Police Station Sadar Nagaur Tehsil And District Nagaur (Driver Of Tractor No Rj-21-R-6907)
2. Nema Ram S/o Jetha Ram, Resident Of Shyamsar Police Station Sribalaji District Nagaur Owner Of Tractor No Rj 21 R 6907
3. United India Insurance Co Ltd, Through Branch Manager Fort Road Nagaur Insurer Of Tractor No Rj 21 R 6907

----Respondents

For Appellant(s) : Mr. Pawan Kumar Ojha
For Respondent(s) : Mr. R.S. Choudhary

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

23/03/2026

S.B. Civil Misc. Appeal No. 94/2026

1. Learned counsel for the appellant submits that as per the FIR, the accident in question was, caused by an unknown vehicle, and that the insured vehicle has been wrongly and falsely implicated in the present matter. It is further contended that the learned Tribunal has not duly considered this material aspect and thus, erred in law while adjudicating the claim petition.
2. The matter requires consideration.

3. Learned counsel – Mr. R.S. Choudhary has put in appearance on behalf of respondent-claimants and accepts notice on behalf of respondent Nos.1 & 2. Issue notice to respondent Nos.5 & 6, returnable within six weeks.
4. Meanwhile, effect and operation of the impugned judgment and award dated 29.08.2025 passed by the learned Motor Accident Claims Tribunal (Additional District & Sessions Judge No.1, Nagaur), District Nagaur in Motor Accident Claim Case No.19/2021, shall remain stayed qua the appellant subject to the condition that the appellant - Insurance Company deposits 75% of the amount (with interest) awarded by the Tribunal vide award dated 29.08.2025 within a period of eight weeks.
5. The amount so deposited shall be disbursed to the claimants by the Tribunal in accordance with law. The amount previously deposited, if any, shall be adjusted.
6. It is made clear that if the amount as directed by this Court is not deposited within the stipulated time, the respondent-claimants shall be free to proceed with the execution of the impugned award.
7. List after eight weeks.

S.B. Civil Misc. Appeal No. 690/2026

1. Learned counsel for the petitioner submits that the learned Tribunal has failed to correctly assess the income of the deceased and has consequently awarded a meagre amount as compensation. It is further submitted that the present appeal has been preferred seeking modification of the impugned order and

appropriate enhancement of the compensation awarded by the learned Tribunal in accordance with law.

2. Learned counsel – Mr. Pawan Kumar Ojha accepts notice on behalf of the respondent No.3 – Insurance Company. At the request of learned counsel for the appellants – Mr. R.S. Choudhary, service of notice upon respondent Nos.1 & 2 is hereby dispensed with at the risk and cost of the appellant.

3. List along with connected matter.

(MUKESH RAJPUROHIT),J

4-5-mSingh/-