

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

S.B. Civil Misc. Appeal No. 239/2026

Raheja Qbe General Insurance Company, Windser House, 5Th Floor, Cst Road, Kalina Santacruz East (Mumbai)

----Appellant

Versus

1. Vimla W/o Hawa Singh, Pacharwali, Tehsil Bhadra, District Hanumangarh
2. Suresh Kumar S/o Hawa Singh, Pacharwali, Tehsil Bhadra, District Hanumangarh
3. Satveer S/o Ramkumar, Dhaka Tehsil Bhadra, District Hanumangarh (Driver Of Offending Vehilce No. Rj-49-Ga-0818)
4. Mahipal S/o Maidhan, Motsra, Tehsil Bhadra, District Hanumangarh (Owner Of Offendingh Vehilce No. Rj-49-Ga-0818)

----Respondents

For Appellant(s) : Mr. Vishal Singhal

For Respondent(s) :

HON'BLE MR. JUSTICE MUKESH RAJPUROHIT

Order

27/03/2026

1. It is contended by learned counsel for the appellant that the insurance policy in respect of the vehicle in question was issued as a goods carriage vehicle and the premium was charged only for the driver and third party risk, therefore, since the deceased was travelling as a gratuitous passenger therein, such risk is not covered under the terms of the policy.
2. The matter requires consideration.
3. Issue notice, returnable within six weeks.
4. Meanwhile, the effect, operation and execution of the judgment and award dated 11.03.2025, passed by the learned Judge, Motor Accident Claims Tribunal (Additional District Judge) Bhadra, District Hanumangarh (Raj.) in MAC Case No.01/2020, shall remain stayed.

(MUKESH RAJPUROHIT),J