

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No. 1215/2026

URN: CMA / 2359U / 2026

1. Chief Manager, Rajasthan State Road Transport Corporation Jodhpur Tehsil And District Jodhpur. (Registered Owner Vehicle Number Rj-19-Pb-8276).
2. Chief Agar Manager, Rajasthan State Road Transport Corporation Sikar. Through Regional Office Sikar. (Registgered Owner Vehicle Number Rj-19-Pb-8276).

----Non Claimants/Appellants

Versus

1. Shivpal Son Of Likhamram, Aged About 42 Years, Resident Parvedi, Station Chitawa, District Nagaur.
2. Jainarayan Son Of Chainaram, Aged About 42 Years, Resident Chau Police Station Shri Balaji, District Nagaur. (Driver Vehicle Bus No. Rj 19 Pb 8276).

----Claimant/Respondent

----Non Claimant/Respondent

For Appellant(s) : Mr. Sagar Jindal

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

17/07/2026

1. Matter comes up on an application (CMCC No.626/2026) filed under Section 5 of the Limitation Act for condoning the delay of 7 days in filing the restoration application.
2. For the reasons stated in the application, the same is allowed.
3. Delay in filing the restoration application is condoned.
4. The present civil miscellaneous appeal has been filed by the appellants against the judgment and award dated 25.09.2025 passed by learned Motor Accident Claims Tribunal, District Sikar

(hereinafter referred to as the learned 'Tribunal') in Claim Case No. 170/2022, whereby, the claim petition has been allowed and an award of Rs. 7,34,575/- along with the interest @ 7.5 % per annum has been passed in favour of the claimant(s)-respondent(s).

5. Learned counsel appearing on behalf of the appellants prays that the effect and operation of the impugned judgment and award dated 25.09.2025 passed by the learned Tribunal be stayed, till the pendency of the appeal.

6. The matter requires consideration.

7. Issue notice to respondents by both modes i.e., by ordinary process as well as by registered post, returnable within eight weeks. Requisites be filed within one week.

8. Heard on Stay Application No.1192/2026.

9. The appellants are directed to deposit the entire decretal amount, excluding the amount already deposited, if any, along with the interest as awarded vide impugned judgment and award dated 25.09.2025, with learned Motor Accident Claims Tribunal, District Sikar within a period of four weeks from today.

10. If the amount is so deposited by the appellants within the stipulated period, then the effect and operation of the impugned judgment and award 25.09.2025 passed by learned Motor Accident Claims Tribunal, District Sikar shall remain stayed, till pendency of the appeal.

11. On depositing the said amount by the appellants, the learned Tribunal is directed to disburse 50% of the amount, so deposited, in favour of the claimant(s)-respondent(s) in terms of the award

on an undertaking by the claimant(s)-respondent(s) that in case, appeal of the appellants succeeds, the claimant(s)-respondent(s) shall repay the amount, so received, along with interest @ 6% per annum. Remaining 50% of the award amount shall be kept in F.D.R. initially, for a period of one year in the Nationalized Bank, which would be renewed from time to time and this amount shall not be disbursed without further order of this Court.

12. Accordingly, Stay Application No.1192/2026 stands disposed of.

13. List the matter after eight weeks.

14. In the meanwhile, record of the Court below be summoned.

(ASHUTOSH KUMAR),J