

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No. 1098/2026

The New India Assurance Company Limited, Having Its Registered & and Head Office At 87, Mahatma Gandhi Road, Fort, Mumbai and its Regional Office at Nehru Place, Tonk Road, Police Station Jyoti Nagar, Jaipur, through its Regional Manager and its Divisional Office First Floor, Dream Building, in front of Government Children Hospital, Near Bijali House, Chouraha, Alwar, through Divisional Manager

(Insurer Of Vehicle Centra No. Registration No. HR-47-D-3164)

----Appellant/Non-claimant No.3

Versus

1. Santosh Wife of Sitaram, aged About 57 Years, (Mother of deceased),

2. Sitaram S/o Shiv Lal, aged about 58 years (Father of deceased),

Both R/o Kamaalpur, Budhi Baawal, Police Station Khushkheda, Police District Bhiwadi, Alwar (Presently District – Tijara-Khairthal, Rajasathan)

----Respondents / Claimants

3. Mohit Singh S/o Narendra Singh, R/o Shohaari Gharaiya Ajeetmal Oraiya, District - Oraiya (Uttar Pradesh).
(Driver Vehicle Centra No. HR-47-D-3164)

4. Manish Kumar S/o Shri Mahesh Kumar, R/o Baanipur Baawal, District Rewadi (Hariyana) Pin-123401
(Registered Owner Vehicle Centra No. HR-47-D-3164)

----Respondents / Non-claimants No. 1 & 2

For Appellant(s) : Mr. Ram Singh Rathore

For Respondent(s) :

HON'BLE MR. JUSTICE SANDEEP TANEJA
Order

24/04/2026

1. Heard.

2. Issue notice of appeal to the respondents, returnable by eight weeks.

3. Heard on Stay Application No. 1104/2026.
4. Looking to the facts and circumstances of the case and the submissions made by learned counsel for the appellant, it is directed that the appellant shall deposit the entire amount awarded, vide order dated 06.10.2025, by the learned Motor Accident Claims Tribunal, Alwar in MAC Case No. 384/2023, with the concerned Tribunal within a period of four weeks from today.
5. If the amount is so deposited by the appellant – Insurance Company within the stipulated period, then the effect and operation of the above-said impugned judgment and award dated 06.10.2025 shall remain stayed, till pendency of the appeal.
6. On such deposit being made, the respondent Nos. 1 and 2 shall be at liberty to withdraw 50% of the said amount, in terms of the award dated 06.10.2025, on furnishing an undertaking on oath to the effect that if the appellant ultimately succeeds in the appeal, the said amount shall be refunded by the respondent Nos. 1 and 2 along with interest @ 6% per annum from the date of withdrawal till refund.
7. The balance 50% of the award amount be deposited in the Fixed Deposit with a Nationalized bank initially for a period of one year, which shall be renewed from time to time.
8. The stay application is disposed of accordingly.
9. Let record be summoned from the learned Tribunal
10. List the matter after eight weeks.

(SANDEEP TANEJA),J