

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No.947/2026

Royal Sundaram General Insurance Company Ltd.

----Appellant

Versus

Sindan Bano W/o Late Ali Hussain & Others

----Respondents

For Appellant(s) : Mr. Chanderdeep Singh Jodha

JUSTICE ANOOP KUMAR DHAND

Order

26/02/2026

1. Learned counsel for the appellant submits that the driver of the offending vehicle was not in possession of the valid license to ply the same and as per the amendment under Section 150 of the Motor Vehicles Act, which came into force on 01.04.2022, the Insurance Company is not liable to make payment and later recover the same from the driver and owner of the offending vehicle. Learned counsel submits that in the instant case, the accident has occurred on 17.10.2022, i.e., after enforcement of the amendment under Section 150 of the Motor Vehicles Act, but inspite of above, the liability has been fastened upon the Insurance Company to first pay the amount of compensation to the claimants and recover the same, at later stage, from the driver and owner of the vehicle.

2. Heard. The matter requires consideration.

3. Issue notice of the appeal as well as stay application to the respondents, returnable within a period of six weeks.

4. Notices be given '*dasti*'.

5. Call for the record.
6. Till then, the impugned judgment and award dated 29.11.2025 passed by the Motor Accident Claims Tribunal, Mehwa District Dausa shall remain stayed qua the Insurance Company.
7. This order shall come into effect only after service upon the respondents.
8. The respondents shall be at liberty to move an appropriate application for vacation of this order after service.
9. Let a copy of this order be sent to the respondents along with notices.

(ANOOP KUMAR DHAND),J