

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 3575/2026

M/s Prince Enterprises

-----Petitioner

Versus

Shri Babulal Bairwa S/o Shri Nanuram Bairwa

-----Respondent

For Petitioner(s) : Mr. Ajatshatru Mina

For Respondent(s) :

HON'BLE MR. JUSTICE GANESH RAM MEENA

Order

13/03/2026

Learned counsel for the petitioner submits that an award dated 31.01.2024 was passed by the Court of Additional District Judge No. 5, Jaipur Metropolitan-I in claim petition No. 11/2022 under the Fatal Accidents Act, whereby the petitioner and the Municipal Corporation were jointly held liable to pay compensation amounting Rs. 14,16,260/- alongwith interest.

Learned counsel further submits that the respondent-claimant preferred an execution application and the Executing Court on 14.12.2025 passed an order rejecting the application filed by the present petitioner for staying the execution proceedings qua the petitioner on the condition of depositing its share towards the compensation amount awarded by the Court.

Being aggrieved by the order dated 14.12.2025, the petitioner preferred SBCWP No. 17006/2025 and this Court, vide order dated 13.11.2025, stayed the execution proceedings qua the petitioner subject to payment of 50% of the principal amount as awarded in the judgment and decree dated 31.01.2024.

Learned counsel for the petitioner further submits that though the petitioner has already deposited the 50% amount as ordered by this Court vide order dated 13.11.2025, but there was some delay in depositing the amount and the petitioner had already moved an application in the said petition for extension of time. He submits that in the meantime, the Executing Court passed an order dated 10.02.2026 for issuance of warrants only against the petitioner even though the petitioner has already deposited 50% of the principal amount of compensation awarded by the Court. Counsel further submits that the order of the Executing Court for issuing warrants against the petitioner is illegal and arbitrary.

Issue notice/s to the respondent/s, returnable by two weeks.

Notice of stay application be also issued.

In the meanwhile, the effect and operation of order dated 10.02.2026 qua the petitioner shall remain stayed and no coercive action shall be taken against him.

(GANESH RAM MEENA),J