

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No. 1169/2026

United India Assurance Company Limited, Through Its Branch Manager, Claim Hub, Sapphire Building, In Front Of Dispensary No. 4, Ajmer Road, Sodala, Jaipur Having Its Regional Office Nbcc Centre, 8Th Floor, Lal Kothi Scheme, Sahkar Marg, Jaipur-302015, Through Its Constituted Attorney Through Its Constituent Attorney. (Insurance Company Of Vehicle Bus No. RJ-09-PA-4696)

-----Appellant

Versus

1. Smt. Niru Wife Of Late Shri Punit Kumar Chaturvedi, Aged About 29 Years
2. Kapish Chaturvedi Son Of Late Shri Punit Kumar Chaturvedi, Aged About 7 Years, Minor, Represented Through his Natural Guardian, Mother Smt. Niru Sharma
3. Arohi Chaturvedi Daughter Of Late Shri Punit Kumar Chaturvedi, Aged About 6 Years, Minor, Represented Through her Natural Guardian, Mother Smt. Niru Sharma
4. Krishna Devi Wife Of Shri Ashok Kumar Sharma, Aged About 66 Years,
5. Ashok Kumar Sharma Son Of Shri Harinarayan Sharma, Aged About 67 Years
(All Resident Of Gaon Dangarwara, New Colony Jamwaramgarh, Tehsil-Aandhi, District Jaipur)

--Claimants / Respondents

6. Sonu Singh Son Of Tajlashiram, Resident Of Hathini, Tehsil And District- Bharatpur- 321021. (Driver Vehicle Bus No. RJ-09-PA-4696)
7. Swarndeeep Singh Sidhu Son Of Shri Jagseer Singh, Resident Of 153 Model Town, Phase-3, Bhatinda-15101 (Punjab) Through Power Of Attorney, Nitin Kumar Son Of Shri Surendra Kumar, Resident Of Rarrah, Bharatpur-3201025 (Owner Vehicle Bus No. RJ-09-PA-4696)

-----Non-claimants/Respondents

For Appellant(s) : Mr. Sanjay Kumar Singhal with
Mr. Firoz Akhtar Asari,
Ms. Nishtha Jain

For Respondent(s) :

HON'BLE MR. JUSTICE SANDEEP TANEJA

Order

13/03/2026

1. Counsel for the appellant submits that the learned Tribunal has passed the impugned judgment and award dated 19.11.2025 treating the deceased Punit Kumar Chaturvedi as an employee of Inspira Enterprises India Ltd. and his monthly income as Rs. 24,160/- whereas the deceased was an employee of Morn Compu Serve Info Pvt. Ltd. and was earning only Rs. 10,000/- p.m. The relevant documents have been filed along with application under Order XLI Rule 27 CPC.
2. Issue notice of appeal as well as stay application to the respondents, returnable within eight weeks.
3. Learned counsel for the appellant submits that since no relief has been sought against the respondent Nos. 6 and 7, therefore, service upon the said respondents may be dispensed with.
4. The service of notice upon respondent Nos. 6 and 7 is dispensed with at the risk of appellant.
5. Let notice be issued to respondent Nos. 1 to 5 only.
6. Heard on stay application.
7. 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 award dated 19.11.2025 passed by the Motor Accident Claims Tribunal (Special Court, Communal Riots Cases) Jaipur Metropolitan, Jaipur in MAC Case No. 584/2022 with the concerned Tribunal within a period of four weeks from today.
8. If the amount is so deposited by the appellant within the stipulated period, then the effect and operation of the impugned

judgment and award dated 19.11.2025 shall remain stayed, till next date of hearing.

9. On such deposit being made, the respondent Nos. 1 to 5 shall be at liberty to withdraw 25% of the said amount, in terms of the award dated 19.11.2025, 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 to 5 alongwith interest @ 6% per annum from the date of withdrawal till refund.

10. The balance 75% 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.

11. Let record of the learned Tribunal be summoned.

12. List the matter after eight weeks.

(SANDEEP TANEJA),J