

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No. 1414/2026
Sbi General Insurance Company Ltd.

----Appellant

Versus

Mohanlal S/o Ramnath

----Respondent

Connected With

S.B. Civil Miscellaneous Appeal No. 1434/2026
Sbi General Insurance Company Ltd.

----Appellant

Versus

Rajendra

----Respondent

S.B. Civil Miscellaneous Appeal No. 1435/2026
Sbi General Insurance Company Ltd.

----Appellant

Versus

Rajendra

----Respondent

For Appellant(s)	:	Mr. Virendra Agrawal
For Respondent(s)	:	Mr. Praveen Kumar Jain
		Mr. Avinash Dhanju
		Ms. Sunita Choudhary

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

07/05/2026

S.B. Civil Miscellaneous Appeal No. 1414/2026

1. Issue notice to respondent Nos.3 and 4 by both modes i.e., by ordinary process as well as by registered post, returnable within three weeks. Requisites be filed within one week.
2. Matter comes up on an application (I. A No.1/2026) on behalf of respondents under Section 151 CPC for disbursement of the amount of compensation deposited by the appellant-

Insurance Company in compliance of the order dated 30.03.2026 passed by Coordinate Bench of this Court.

3. Heard on Stay Application No.1435/2026.

4. Looking to the facts and circumstances of the case, the application filed on behalf of respondents is partly allowed and it is ordered that 50% of the amount, so deposited by the appellant-Insurance Company be disbursed to the respondents-claimants in terms of the judgment and award dated 28.01.2026, on furnishing an undertaking that the respondents-claimants shall repay the same with interest @ 6% per annum if the appellant succeeds in its appeal. 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.

5. List along with S.B. Civil Miscellaneous Appeal Nos. 2155/2026, 2082/2026 and 2086/2026 after three weeks.

6. Till then, effect and operation of the impugned judgment and award dated 28.01.2026 passed by learned tribunal shall remain stayed.

S.B. Civil Miscellaneous Appeal No. 1434/2026 & S.B. Civil Miscellaneous Appeal No. 1435/2026

1. Mr. Praveen Kumar Jain, Adv. puts in appearance on behalf of respondents-claimants. His name be shown in the cause list as counsel for respondents-claimants.

2. Issue notice to respondent Nos. 3 and 4 by both modes i.e., by ordinary process as well as by registered post, returnable within three weeks. Requisites be filed within one week.
3. Heard on Stay Application Nos. 1454/2026 and 1455/2026.
4. The appellant-Insurance Company is directed to deposit whole of the decretal amount of award along with the interest granted in favour of the respondents-claimants vide impugned judgment and award dated 28.01.2026 in Claim Case Nos. 36/2022 and 67/2022, with the learned Motor Accident Claims Tribunal, Niwai within a period of 30 days from today.
5. On depositing the said amount by the appellant, 50% of the same shall be disbursed amongst the respondents-claimants in terms of the award on an undertaking by the respondents-claimants that in case, appeal of appellant succeeds, the respondents-claimants shall repay the amount, so received, along with the interest @ 6% per annum. The remaining 50% of the amount so deposited by the appellant shall be kept in FDR initially for a period of one year in a Nationalized bank, which would be renewed from time to time and this amount shall not be disbursed without further orders of this Court.
6. If the aforesaid amount is deposited by the appellant within the stipulated period, then the effect and operation of the impugned judgment and award dated 28.01.2026 shall remain stayed, till further orders of this Court.
7. Accordingly, Stay application Nos. 1454/2026 and 1455/2026 stands disposed of.

8. Learned counsel for the appellant submits that the applications (I. A No. 1/2026) in both these appeals have become infructuous.

9. In that view of the matter, both the applications (I.A No.1/2026) in these appeals are dismissed as having become infructuous.

10. Learned Tribunal is directed to sent the record back to this Court after disbursement of the awarded amount.

11. List along with S.B. Civil Miscellaneous Appeal Nos. 2155/2026, 2082/2026 and 2086/2026, as prayed.

(ASHUTOSH KUMAR),J