

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 6128/2026

Cholamandal General Insurance Company Limited

-----Petitioner

Versus

Gori Devi W/o Manoj Kumar

-----Respondent

For Petitioner(s) : Mr. Prakhar Agrawal with
Ms. Anjali Assat
Mr. Sahil Jain

For Respondent(s) :

HON'BLE MR. JUSTICE SAMEER JAIN

Order

06/04/2026

In the instant matter, it is contended by the learned counsel for the petitioner that an additional premium of Rs. 325 was paid to secure a Personal Accident (PA) cover for the owner-driver to the extent of Rs.15 lakhs, as enshrined under the policy document (Annexure-2).

The gravamen of the petitioner's submission is that the impugned order dated 23.01.2026 suffers from perversity and non-application of mind. It is submitted that the said Personal Accident (PA) cover of Rs.15 lakhs strictly crystallizes in the event that the deceased-owner was actively driving the vehicle at the time of the incident. The present is the case where the deceased-owner was occupying the rear seat, and therefore, no claim is payable by the petitioner.

Having heard the submissions put forth by learned counsel, this Court is of the opinion that the matter at hand requires consideration.

Issue notice to the respondents, returnable within a period of one week.

In addition to the regular mode of service, '*dasti*' service is permitted.

List the matter on 16.04.2026.

(SAMEER JAIN),J