

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 662/2026

1. Jaipur Vidyut Vitran Nigam Limited, (JVVNL), Through Its Chairman, Jaipur Vidyut Vitran Nigam Limited, Jaipur.
2. Jaipur Vidyut Vitran Nigam Limited, (JVVNL) Through Its Executive Engineer, Atru, District Baran, Rajasthan.
3. Jaipur Vidyut Vitran Nigam Limited, (JVVNL) Through Its Assistant Engineer, Chhipabarod, District Baran, Rajasthan.

----Appellants/Defendants

Versus

1. Rajesh Bai, Wife Of Durgashankar
 2. Abhishek, Son Of Durgashankar.
 3. Sanjana Daughter Of Durgashankar,
- All Respondents Are The Residents Of Village Dholam,
Tehsil Chhipabarod, District Baran, Rajasthan.

----Respondents/Plaintiffs

For Appellant(s) : Mr. Ishan Kumawat, Adv.

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

30/04/2026

1. The present civil first appeal has been filed by the defendants-appellants against the judgment and decree dated 29.01.2026 passed by learned Additional District Judge, Chhabra, District Baran (hereinafter referred to as the learned 'trial Court') in Civil Suit No.11/2017, whereby, the suit filed on behalf of the respondents-plaintiffs under Fatal Accidents Act, 1855 for compensation due to death of Durgashankar, has been decreed and gracious compensation of Rs.2,50,000/- along with interest @

7.5% per annum has been awarded in favour of respondents-plaintiffs.

2. Heard on Stay Application No.1957/2026.

3. Learned counsel appearing on behalf of the defendants-appellants submits that though learned trial Court did not find any negligence on the part of plaintiffs-appellants, however, it applied the Rajasthan Rajya Vidyut Utpadan Nigam Limited Payment of Compensation Rules, 2010 and awarded a gracious compensation of Rs.2,50,000/- along with interest @ 7.5% per annum in favour of respondents-plaintiffs. Learned counsel further submits that Rajasthan Rajya Vidyut Utpadan Nigam Limited and Jaipur Vidyut Vitran Nigam Limited are two separate entities and furthermore, Rajasthan Rajya Vidyut Utpadan Nigam Limited was not made party in the civil suit filed by the respondents-plaintiffs before learned trial Court.

4. Learned counsel for the defendants-appellants contends that payment of gracious compensation is an administrative act, therefore, learned trial Court has erred in awarding the same in favour of the respondents-claimants in a civil suit filed under Fatal Accident Act, 1855. Learned counsel prays that the effect and operation of the judgment and decree dated 29.01.2026 passed by learned trial Court may be stayed, till the pendency of the appeal.

5. The matter requires consideration.

6. Issue notice to the respondents by both modes i.e. by ordinary course as well as by registered post, returnable after six weeks. Requisites be filed within a period of one week.

7. List the matter after six weeks.



8. Till the next date of hearing, effect and operation of the impugned judgment and decree dated 29.01.2026 shall remain stayed.

9. Record of the Court below be summoned.

(ASHUTOSH KUMAR),J

AARZOO ARORA /20