

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No. 2151/2026

The Oriental Insurance Company Limited, Compliance Through Branch Manager, The Oriental Insurance Company Limited, Numayash Road, Bharatpur, At Present Having Its Regional Office At 10Th Floor, N.B.C.C. Centre, Bima Bhawan, Sahakar Marg, Jaipur, Through Its Authorized Signatory.
(Insurer Tempo Super Carry RJ 05 GB 6423)

----Appellant-Non-Claimant

Versus

1. Smt. Babita W/o Shri Vakeel Singh, Aged About 28 Years, Resident Of Jotroli, Police Station Roopwas, District Bharatpur.
2. Bachchu Singh S/o Shri Parasram, Aged About 73 Years
3. Lajja Devi W/o Shri Bachchu Singh, Aged About 63 Years
4. Soniya D/o Shri Vakeel, Aged About 6 Years
5. Jairam S/o Shri Vakeel, Aged About 5 Years
(Respondent No.4 & 5 Minor Through Natural Guardian And Mother Smt. Smt. Babita W/o Shri Vakeel Singh)
All Resident Of Jotroli, Police Station Roopwas, District Bharatpur.

----Respondents/Claimants

6. Shrimati W/o Shri Ishwar Singh, R/o Village Bhagwanpur, Police Station Bhusawar, Tehsil Bhusawar, District Bharatpur. (Owner Of Vehicle Tractor No. RJ 05 RC 0205).
7. Satyaveer S/o Shri Ishwar Singh, R/o Village Bhagwanpur, Police Station Bhusawar, Tehsil Bhusawar, District Bharatpur. (Owner Of Vehicle Tractor No. RJ 05 RC 0205).
8. Dilip S/o Shri Fateh Singh, R/o Village Pali, Police Station Halena, Tehsil Veir, District Bharatpur. (Driver Of Vehicle Tractor No. RJ 05 RC 0205).

----Respondents-Non-Claimants

For Appellant(s)	:	Mr. Rizwan Ahmed, Adv. with Mr. Mohsin, Adv.
------------------	---	---

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

05/05/2026

1. Heard on Stay Application No. 2143/2026.
2. The present civil miscellaneous appeal has been filed by the appellant-Insurance Company against the judgment and award dated 03.01.2026 passed by learned Motor Accident Claims Tribunal, Bayana (Additional District and Sessions Judge No.2, Bayana, District Bharatpur) (hereinafter referred to as the learned 'Tribunal') in M.A.C. No. 29/2025, whereby, the claim petition has been partly allowed and an award of Rs.15,19,484/- along with the interest @ 6 % per annum has been passed in favour of the claimant(s)-respondent(s).
3. Learned counsel appearing on behalf of the appellant-Insurance Company prays that the effect and operation of the impugned judgment and award dated 03.01.2026 passed by the learned Tribunal be stayed, till the pendency of the appeal.
4. The matter requires consideration.
5. Issue notice to the respondents by both modes i.e., by ordinary process as well as by registered post, returnable within eight weeks. Requisites be filed within one week.
6. The appellant-Insurance Company is directed to deposit the entire decretal amount, excluding the amount already deposited, if any, along with the interest as awarded vide impugned judgment and award dated 03.01.2026, with learned Motor Accident Claims Tribunal, Bayana (Additional District and Sessions

Judge No.2, Bayana, District Bharatpur) within a period of four weeks from today.

7. If the amount is so deposited by the appellant-Insurance Company within the stipulated period, then the effect and operation of the impugned judgment and award 03.01.2026 passed by learned Motor Accident Claims Tribunal, Bayana (Additional District and Sessions Judge No.2, Bayana, District Bharatpur) shall remain stayed, till pendency of the appeal.

8. On depositing the said amount by the appellant-Insurance Company, the learned Tribunal is directed to disburse 50% of the amount, so deposited, in favour of the claimant(s)-respondent(s) in terms of the award on an undertaking by the claimant(s)-respondent(s) that in case, appeal of the appellant-Insurance Company succeeds, the claimant(s)-respondent(s) shall repay the amount, so received, along with interest @ 6% per annum. 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.

9. Accordingly, Stay Application No.2143/2026 stands disposed of.

10. List the matter after eight weeks.

11. In the meanwhile, record of the Court below be summoned.

(ASHUTOSH KUMAR),J