

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Writ Petition No. 6861/2026

Mahendra Giri S/o Kishore Giri

-----Petitioner

Versus

National Insurance Co. Ltd.

-----Respondent

For Petitioner(s) : Mr. Abhimanyu Singh
Mr. Alakh Parashar

For Respondent(s) :

HON'BLE MR. JUSTICE SAMEER JAIN
Order

20/04/2026

Learned counsel for the petitioner submits that in the light of the MACT order and the judgment passed in **S.B. Civil Writ Petition No. 2509/2003** titled as **National Insurance Co. Ltd. vs. Smt. Kamla & Ors.**, the liability in favor of the petitioner is undisputable. It is further submitted that since the insurance company filed the execution petition after a lapse of approximately 12 years, the petitioner should not be held liable for the accrued interest. It is also submitted that the reference made to the Collector by the executing authority was significantly delayed; therefore, the interest liability ought not to be enforced against the petitioner.

Heard.

Issue notice.

Additionally, '*dasti*' service is permitted.

List the matter on 29.04.2026.

(SAMEER JAIN),J