

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No. 2187/2026

The Oriental Insurance Company Ltd., Through Manager Regional Office, 9, 10 NBCC Center, Near Parivahan Bhawan, Police Thana Lalkothi, Jaipur Having Its Regional Office At 9Th And 10Th Floor, NBCC Center, Sahkar Marg, Jaipur- 302015 Through Its Constituent Attorney (Insurance Company Of Vehicle No. RJ-31-UA-0685).

----Non-Claimant/Appellant

Versus

1. Kala Singh S/o Shri Hansa Singh, Aged About 39 Years, R/o 344 G, Factory Mohalla, Gram Kohla, Hanumangarh, Town, District Hanumangarh.

----Claimant/Respondent

2. Mahesh Kumar S/o Shri Sajan Ram, R/o Ward No. 2, Kishanpura, Viravnav, Hanumangarh Town. (Driver And Owner Of Vehicle No. RJ-31-UA-0685)

----Non-Claimant/Respondent

For Appellant(s)	:	Mr. Virendra Agrawal, Adv.
For Respondent(s)	:	Mr. Ayush Sharma, Adv. (for respondent No.1)

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

05/05/2026

1. Mr. Ayush Sharma, Adv. puts in appearance on behalf of the respondent No.2 as caveator.
2. Heard on Stay Application No. 2166/2026.
3. The present civil miscellaneous appeal has been filed by the appellant-Insurance Company against the judgment and award dated 23.02.2026 passed by learned Motor Accident Claims Tribunal No.2, Jaipur Metropolitan-I, Jaipur (hereinafter referred to as the learned 'Tribunal') in M.A.C. No. 541/2020 whereby, the

claim petition has been partly allowed and an award of Rs.7,96,327/- along with the interest @ 6 % per annum has been passed in favour of the claimant(s)-respondent(s).

4. Learned counsel appearing on behalf of the appellant-Insurance Company prays that the effect and operation of the impugned judgment and award dated 23.02.2026 passed by the learned Tribunal be stayed, till the pendency of the appeal.

5. The matter requires consideration.

6. Issue notice to the respondent No.2 by both modes i.e., by ordinary process as well as by registered post, returnable within eight weeks. Requisites be filed within one week.

7. 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 23.02.2026, with learned Motor Accident Claims Tribunal No.2, Jaipur Metropolitan-I, Jaipur within a period of four weeks from today.

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.2166/2026 stands disposed of.
10. List the matter after eight weeks.
11. In the meanwhile, record of the Court below be summoned.

(ASHUTOSH KUMAR),J

AARZOO ARORA /85-S.