

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

1. S.B. Civil Miscellaneous Appeal No. 2640/2026
URN: CMA / 4668U / 2026

Iffco Tokio General Insurance Company Limited, Through
Executive Manager, Regional Office Second Floor, Bahgwati
Bhawan, Government Hostel Crossing, M.I. Road, District Jaipur
(Raj.)- Through Its Constituent Attorney.

----Appellant

Versus

1. Jagdish Chandra Choudhary S/o Bhawarlal, Aged About
52 Years, R/o Village Rampura Dabla, Tehsil Pisangan,
District Ajmer (Raj.)

----Claimant/Respondent

2. Mahendra Singh S/o Sattu Singh, Aged About 32 Years,
R/o Village Amratpura, Majra Govindgarh, Tehsil,
Pisangan, District Ajmer, (Raj.) (Driver Tractor No. R.J.
01-R.B-7357)

3. Sattu Singh S/o Shri Bhanwar Singh, Aged About 60
Years, R/o Village Amratpura, Majra Govindgarh, Tehsil,
Pisangan, District Ajmer (Raj.) (Reg. Owner Vehicle)

----Respondents

2. S.B. Civil Miscellaneous Appeal No. 2253/2026
URN: CMA / 3878U / 2026

Jagdish Chand Chaudhary S/o Shri Bhanwarlal

----Appellant/Claimant

Versus

Mahendra Singh S/o Shri Sattu Singh & Ors.

----Respondents

For Appellant(s)	:	Mr. Chanderdeep Singh Jodha, Adv. for Insurance Company
For Respondent(s)	:	Mr. Prashant Tada, Adv. for Claimant

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

06/07/2026

In S.B. Civil Miscellaneous Appeal No. 2640/2026:-

1. Heard on stay application No. 2689/2026.
2. The present civil miscellaneous appeal has been filed by the appellant-Insurance Company against the judgment and award dated 10.03.2026 passed by learned Motor Accident Claims Tribunal, Ajmer (Raj.) (hereinafter referred to as the learned 'Tribunal') in MAC No. 75/2024, whereby, learned Tribunal has partly allowed the claim petition and an award of Rs.7,07,860/- along with the interest @ 6% per annum has been passed in favour of the claimant-respondent.
3. Learned counsel appearing on behalf of the appellant-Insurance Company submits that the effect and operation of the impugned judgment and award dated 10.03.2026 passed by the learned Tribunal be stayed till the pendency of the appeal.
4. The matter requires consideration.
5. Issue notice to the respondent Nos. 2 & 3 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 the entire decretal amount along with the interest as awarded vide impugned judgment and award dated 10.03.2026 with the learned Motor Accident Claims Tribunal, Ajmer (Raj.) within a period of four weeks from today.
7. If the amount is deposited by the appellant-Insurance Company within the stipulated period, then the effect and

operation of the impugned judgment and award dated 10.03.2026, passed by the learned Motor Accident Claims Tribunal, Ajmer (Raj.) in MAC No. 75/2024 shall remain stayed, till further orders of this Court.

8. On depositing the said amount by the appellant – Insurance Company, the learned Tribunal is directed to disburse 30% of the amount, so deposited, to the claimant-respondent in terms of the award on an undertaking by the claimant-respondent that in case, appeal of the appellant - Insurance Company succeeds, the claimant-respondent shall repay the amount, so received, along with interest @ 6% per annum. Remaining 70% of the 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. 2689/2026 stands disposed of.

10. List this case after eight weeks.

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

In S.B. Civil Miscellaneous Appeal No. 2253/2026:-

1. Learned counsel for the appellant submits that service upon respondent Nos.1 & 2 may be dispensed with.

2. At the risk and peril of the appellant, service upon respondent Nos.1 & 2 is dispensed with.

3. Mr. Chanderdeep Singh Jodha, learned counsel accepts notice on behalf of respondent No.3.

4. Learned counsel for the appellant is directed to supply copy of appeal to Mr. Chanderdeep Singh Jodha, Adv.

5. List this case after eight weeks.
6. In the meanwhile, record of the Court below be summoned.
7. Name of Mr. Chanderdeep Singh Jodha, Adv. be shown in the cause list as counsel for the respondent.

(ASHUTOSH KUMAR),J