

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Miscellaneous Appeal No. 5185/2016

Oriental Insurance Co. Ltd.

----Appellant

Versus

Shri Kapil Rastogi & Ors.

----Respondents

Connected With

S.B. Civil Miscellaneous Appeal No. 50/2017

Kapil Rastogi & Ors.

----Appellants

Versus

Shri Shiv Dayal Gurjar & Ors.

----Respondents

S.B. Civil Miscellaneous Appeal No. 51/2017

Kapil Rastogi & Ors.

----Appellants

Versus

Shri Shiv Dayal Gurjar & Ors.

----Respondents

For Appellant(s) : Mr. Rishipal Agarwal
For Respondent(s) : Mr. Ankur Rastogi on behalf of Mr.
Priya Rastogi

HON'BLE MR. JUSTICE CHANDRA KUMAR SONGARA
Order

08/07/2021

Matter has come up on an application bearing Inward No.6561/2018 filed on behalf of the claimants-respondents No.1 to 3 for vacating ex-parte stay order.

The application is party allowed for the reasons stated therein and the order dated 28.09.2016 is modified to the extent that claimants-respondents No.1 to 3 are at liberty to withdraw additional 25% of the deposited/invested award amount provided that the claimants furnish a solvent surety and an undertaking on

oath to the effect that if the appellant-company ultimately succeeds in the appeal, the said amount shall be refunded with interest @ 6% per annum from the date of withdrawal till its realization. The remaining 50% of the invested award amount shall be kept in FDR as per order dated 28.09.2016.

The application stands disposed of.

Let the appeals be listed after four weeks.

(CHANDRA KUMAR SONGARA),J

Satyendra/14-16



सत्यमेव जयते