

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No. 2687/2025

Managing Director, Rajasthan State Road Transport Corporation,
Depot Baran, Agar, District-Baran, Rajasthan.
(Owner Roadways Bus No. RJ28 PA 0917).

----Appellant

Versus

1. Mangi Bai W/o Late Sh. Ratan Singh D/o Laxmi Narayan,
Aged About 24 Years, R/o Kishanpura, Current R/o Dharli,
P.S. Bakani, District-Jhalawar, Rajasthan.

----Claimant/Respondent

2. Shivlal Tanwar, Aged About 69 Years, S/o Shri Nanda
3. Badam Bai, Aged About 63 Years, W/o Shivlal Tanwar
4. Mangilal Tanwar, Aged About 38 Years, S/o Shivlal Tanwar
5. Bablu Tanwar, Aged About 24 Years, S/o Shivlal Tanwar,
6. Banwari Tanwar, Aged About 20 Years, S/o Shivlal Tanwar,
7. Tina D/o Shivlal Tanwar, Aged About 16 Years, Being
Minor Through Natural Guardian And Father Shivlal
Tanwar S/o Nanda, R/o Village Kishanpura, Post
Piplyakulmi, Teh Jirapur, District-Rajghar, Madhya
Pradesh.

----Non-Claimants/Respondents

8. Prem Singh S/o Sh. Murari Singh, R/o Behind Reserve
Police Line, Jhalawar, District-Jhalawar, Rajasthan.

----Respondents

For Appellant(s) : Mr. Utkarsh Dubey, Adv. for
Mr. Prateek Mathur, Adv.

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

08/12/2025

1. The present civil miscellaneous appeal has been filed by the
appellant against the judgment and award dated 22.01.2025
passed by learned Motor Accident Claims Tribunal, Jhalawar (Raj.)

(hereinafter referred to as the learned 'Tribunal') in M.A.C. No. 32/2021, whereby, the claim petition has been partly allowed and an award of Rs.9,64,260/- along with the interest of 6% per annum has been passed in favour of the Non-Claimants/respondents.

2. Learned counsel appearing on behalf of the appellant submits that the effect and operation of the impugned judgment and award dated 22.01.2025 passed by the learned Tribunal be stayed till the pendency of the appeal.

3. The matter requires consideration.

4. Issue notice to the respondents by both modes i.e., by ordinary process as well as by registered post, returnable within six weeks. Requisites be filed within one week.

5. The appellant is directed to deposit the entire decretal amount along with the interest as awarded vide impugned judgment and award dated 22.01.2025 with the learned Motor Accident Claims Tribunal, Jhalawar (Raj.) within a period of four weeks from today.

6. If the amount is deposited by the appellant within the stipulated period, then the effect and operation of the impugned judgment and award dated 22.01.2025, passed by learned Motor Accident Claims Tribunal, Jhalawar (Raj.) in M.A.C. No. 32/2021 shall remain stayed, till further orders of this Court.

7. On depositing the said amount by the appellant, the learned Tribunal is directed to disburse 50% of the amount, so deposited, amongst the Non-Claimants/respondents in terms of the award on an undertaking by them that, in case, appeal of the appellant succeeds, they shall repay the amount, so received, along with

interest @ 6% per annum. Remaining 50% 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.

8. List this case after six weeks.

9. In the meantime, record of the Court below be summoned.

(ASHUTOSH KUMAR),J

Mohita /2