

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No. 2692/2026
URN: CMA / 4778U / 2026

The New India Insurance Company Ltd., Through Regional Manager Office At 9B, First Floor, E-Block Shopping Centre, Amrapali Circle, Vaishali Nagar, Jaipur. Having Its Present Regional Office At Nehru Place, 2Nd Floor, Tonk Road, Jaipur. (Insurer Of Car Vehicle No. Rj-19-Ca-0488 Valid From 08.06.2022 To 07.06.2023)

----Appellant

Versus

1. Smt. Kelki Devi, Wife Of Shri Shokin, Aged About 31 Years, Resident Of Dungarpur, Police Station Rohit, District Pali (Raj.).

----Claimant/Respondent

2. Aman Jain Son Of Devraj, Resident Of Maliyon Ka Bas, P.s. Phalodi, District Jodhpur (Raj.) (Driver Bearing Car No. Rj-19-Ca-0488 At The Time Of Accident)
3. Rajendra Maheshwari Son Of Shivprakash Maheshwari, Resident Of Maliyon Ka Bas, P.s. Phalodi, District Jodhpur (Raj.) (Owner Of Car Bearing No. Rj-19-Ca-0488 At The Time Of Accident)
4. Prem Lata Arya Wife Of Shri Ved Prakash, Resident Of 1St 9, R. Pratap Colony, Jodhpur (Raj.) 31001 (Owner Insurer Vehicle Car No. Rj-19Ca-0488).

----Non-Claimants/Respondents

For Appellant(s) : Mr. Tripurari Sharma, Adv.

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

Order

17/07/2026

1. The present civil miscellaneous appeal has been filed by the appellant-Insurance Company against the impugned judgment and award dated 13.03.2026 passed by learned Special Judge, Printing

and Stationery Embezzlement Cases and Motor Accident Claims Tribunal, Jaipur District Jaipur (hereinafter referred to as the learned 'Tribunal') in MAC Case No. 223/2025, whereby, the claim petition has been partly allowed and an award of Rs.2,17,992/- along with the interest @ 6% per annum has been passed in favour of the claimant-respondent.

2. Learned counsel appearing on behalf of the appellant-Insurance Company submits that the effect and operation of the impugned judgment and award dated 13.03.2026 passed by the learned Tribunal be stayed till the pendency of the appeal.

3. The matter requires consideration.

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

5. Heard on stay application No. 2726/2026.

6. The appellant – Insurance Company is directed to deposit the entire decretal amount along with the interest as awarded vide impugned judgment and award dated 13.03.2026 with the learned Tribunal 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 13.03.2026 passed by learned Special Judge, Printing and Stationery Embezzlement Cases and Motor Accident Claims Tribunal, Jaipur District Jaipur in MAC Case No. 223/2025 shall remain stayed, till further orders of this Court. The award amount deposited by the appellant - Insurance Company shall be kept in F.D.R. initially for a period of one year in a Nationalized Bank, which would be

renewed from time to time and this amount shall not be disbursed without further order of this Court.

8. After service of notice, the claimant-respondent shall be at liberty to move an application for disbursement of the amount so deposited by the appellant-Insurance Company.

9. Accordingly, stay application No. 2726/2026 stands disposed of.

10. List this case after eight weeks.

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

(ASHUTOSH KUMAR),J