

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No. 2684/2026

URN: CMA / 4768U / 2026

National Insurance Company Limited

-----Appellant

Versus

Rajanti Bai W/o Prabhulal & Ors.

-----Respondents

For Appellant(s) : Ms. Manju Jain

For Respondent(s) :

HON'BLE MR. JUSTICE SUDESH BANSAL

Order

10/07/2026

1. Counsel for the appellant submits that *vakalatnama* of the authorized person/ OIC on behalf of appellant-Insurance Company, has been filed in the Office. Therefore, the defect No. 2 stands cured.

2. Office to check and proceed accordingly.

3. It has been pointed out that there is a delay of 13 days in filing the present appeal on behalf of appellant-Insurance Company, for which a separate application under Section 5 of the Limitation Act has been filed, seeking condonation of delay, assigning reasons thereof, which is supported with the affidavit of concerned person.

Considering the reasons assigned in the application, duly supported with the affidavit, as well as the period of delay, the delay is condoned, and the application u/s. 5 of the Limitation Act stands allowed accordingly.

4. Heard on the appeal.

5. Issue notice to respondents-claimants as well as to respondent No. 3/non-claimant No. 1.

6. On the interim relief, counsel for appellant-Insurance Company submits that the amount of awarded compensation has already been deducted from the account of the Insurance Company.

In view of the aforesaid, it is hereby observed that disbursement of the awarded compensation to claimants shall remain subject to the final outcome of the present appeal, and before effecting disbursement, the Commissioner shall obtain a written undertaking from claimants to restitute the amount so received, to the appellant-Insurance Company, in case Insurance Company succeeds in the appeal.

(SUDESH BANSAL),J