

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No. 1745/2022

United India Insurance Company Ltd.,

----Non-applicant/Appellant

Versus

Narayan Lal S/o Sh. Mangilal and Ors.

----Applicants/Respondents

For Appellant/Non-applicant(s)	:	Mr. V.P.Mathur
For Respondent/Applicants	:	Mr. Ramit Pareek Mr. Kartik Sharma Mr. Ujala Pareek

HON'BLE MR. JUSTICE ANOOP KUMAR DHAND

Order

24/02/2026

1. Matter comes upon an application (I.A. No. 01/2026) seeking vacation of the ex-parte order dated 29.07.2022 passed by the Co-ordinate Bench of this Court on the ground that during the pendency of the instant appeal, the original claimant Naryan Lal has passed away and his legal representatives have been taken on record.

2. Counsel for the applicants submits that on 20.02.2026, the marriage of the daughter -Radhika (Jyoti) of the claimant i.e. respondent No. 1/1 has been solemnized after borrowing certain amount from the borrowers, in the absence of receipt of the amount of award/compensation as awarded by the Tribunal. Counsel submits that now the legal representatives of the deceased claimant need certain amount to repay the amount which was borrowed for the purpose of solemnization of the aforesaid marriage. Counsel submits that while passing the

interim order dated 29.07.2022, the Co-ordinate Bench of this Court directed the appellant- Insurance Company to deposit 100% amount of the compensation with the Tribunal and a liberty was granted to the claimant to withdraw half of the aforesaid amount after furnishing a solvent security and an undertaking on oath to the effect that if appellant ultimately succeeds in the appeal, the said amount shall be refunded with interest @ 6% per annum from the date of withdrawal till refund. Counsel submits that though the order was passed with a clear and specific direction for disbursement of the half of the amount of compensation along with direction for depositing the half of the amount of compensation in the FDR in any Nationalized Bank by the Tribunal in terms of the original terms and conditions of the impugned award. Counsel submits that under these circumstances, the instant application has been submitted for passing a suitable direction to allow the applicant to withdraw the 50% amount without furnishing the solvent security and also directed for release of the entire compensation amount deposited by the Insurance Company with the Tribunal.

3. Counsel appearing on behalf of the appellant/non-applicant opposes the arguments raised by counsel for the respondents/applicants and submits that unless and until the respondents furnish the solvent security for getting the aforesaid half of the compensation amount, the order dated 29.07.2022 shall not be modified.

4. Heard and considered the submissions made at Bar and perused the material available on record.

5. Considering the arguments raised by counsel appearing on behalf of the legal representatives of the claimant, the present application stands disposed of with direction to the Tribunal to disburse the half of the amount of compensation to the respondent No. 1 in her savings bank account after taking solvent security from her to the effect that she will refund the amount so received with interest @ 6% per annum to the appellant-Insurance Company from the date of withdrawal till refund in case, the instant appeal submitted by the Insurance Company stands allowed.

6. With the aforesaid modification/direction, the application stands disposed of.

7. The Tribunal is directed to retain rest 50% amount of compensation in fixed deposit in any Nationalized Bank.

8. Office is directed to return the record to the Tribunal for doing the aforesaid needful exercise.

9. The Tribunal is further directed to send the record to this Court after doing the aforesaid disbursement exercise.

(ANOOP KUMAR DHAND),J