

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No. 2992/2025

Oriental Insurance Company Limited,

----Appellant

Versus

Smt. Parwati Devi & Ors.

----Respondents

For Appellant(s) : Ms. Raj Sharma

For Respondent(s) : Mr. Deepak Khandelwal

HON'BLE MR. JUSTICE CHANDRA PRAKASH SHRIMALI

Order

03/10/2025

S.B. Civil Miscellaneous Appeal No. 2992/2025:-

Issue notice to respondents.

Call for the record.

List the matter after four weeks alongwith S.B.CMA No.2993/2025.

S.B. Civil Misc. Stay Application No.3013/2025:-

Heard on the stay application preferred by the appellant-Insurance Company and perused the material available on record.

The execution of the impugned award passed by the Workman Compensation Commissioner, Tonk (in short "Commissioner") dated 24.04.2025 is stayed subject to the condition that the appellant shall deposit the entire award amount within two months from today with the Commissioner. Upon deposition of the said amount, the claimant(s) shall be at liberty to withdraw 40% out of the said amount on their furnishing an undertaking to the effect that if the appellant(s)-Insurance Company ultimately succeeds in the appeal, the said amount shall

be immediately refunded to the appellant-Insurance Company with interest @ 12% per annum from the date of withdrawal till repayment. The rest of the amount shall be invested in the FDR of a Nationalized Bank initially for a period of one year, which shall be renewed from time to time.

The stay application is disposed of accordingly.

Record of the Court of Workman Compensation Commissioner, Tonk be sent to this Court after disbursement of the amount as aforesaid.

However, the claimant(s) shall be at liberty to file an application for modification/clarification of this order.

(CHANDRA PRAKASH SHRIMALI),J