

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No.3355/2025

Mahendra Singh

----Appellants

Versus

Mahesh Kumar & Another

----Respondents

connected with

S.B. Civil Miscellaneous Appeal No.3458/2025

Mahesh Kumar

----Appellants

Versus

Mahendra Singh & Another

----Respondents

For Appellant(s) : Mr. Rajesh Kumar Sharma

For Respondent(s) : Mr. Gaurav Gupta

JUSTICE ANOOP KUMAR DHAND

Order

27/02/2026

In S.B. Civil Miscellaneous Appeal No.3355/2025:-

1. Learned counsel for the appellant submits that the injured was not in a possession of the license to ply the vehicle and he was on a call on his mobile phone while riding a motorcycle, hence, there was negligence on the part of the injured, even then the Tribunal has held that there was 75% contributory negligence on the part of the appellant and 25% contributory negligence on the part of the injured.
2. Heard. The matter requires consideration.
3. Service is treated as complete.

4. Call for the record.
5. In the meantime, the appellant is directed to deposit 50% of the amount of compensation, as awarded by the Tribunal within a period of four weeks from today. If needful is done, within the above stipulated time, the effect and operation for remaining 50% of the amount shall remain stayed.
6. The Tribunal is directed to disburse the above amount to the claimants, so deposited by the appellant, as per the terms and conditions of the award.
7. The Tribunal is directed to send the record immediately after disbursing the amount to the claimants as directed above in the present order.

In S.B. Civil Miscellaneous Appeal No.3458/2025:-

Service is treated as complete.

List for final disposal after four weeks.

(ANOOP KUMAR DHAND),J