

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No. 5605/2017

ICICI Lombard General Insurance Company Ltd., Having Its Registered Office At 414, Veer Sawarkar Marg, Ridhisidhi Vinayak Temple, Prabhadevi, Mumbai -400051, Having Its Regional Office At Ii Floor, Bhagwatibhawan, Above P.I. Motors, Government Hostel Crossing, M.I Road, Jaipur Through Its Constituent Attorney

----Appellant

Versus

1. Karan Mehra S/o Shri Daulat Mehra, Being Minor Through His Natural Guardian And Father Sh, R/o Karbala Chauraha, Mehra Basti, Amer Road, Jaipur
2. Sohan Singh Rajput S/o Shri Gokul Singh , R/o House No. 13, Rajeev Nagar, Kacchi Basti, Shastri Nagar, Jaipur Presently Working Through Sudershan Khunteta S/o Shri Shankar Lal Khunteta, R/o A-13, Agrasen Colony, Brahmpuri, Jaipur Driver Of Truck No. Rj-14-Ga-4023
3. Sudershan Khunteta S/o Shri Shankar Lal Khunteta, R/o A-13, Agrasen Colony, Brahmpuri, Jaipur Owner Of Truck No. Rj-14-Ga-4023

----Respondents

Connected With

S.B. Civil Miscellaneous Appeal No. 5952/2017

Karan Mehra S/o Shri Daulat Mehra Minor Through His Natural Guardian And Father Shri Daul, R/o Karbla Crossing, Mehra Basti, Amer Road, Jaipur Raj.

----Appellant

Versus

1. Sohan Singh Rajput S/o Shri Gokul Singh , R/o House No. 13, Rajeev Nagar, Kachchi Basti, Shastri Nagar, Jaipur Raj. And At Present Through Shri Sudharshan Khunteta S/o Shri Shankar Lal Khunteta, B/c Mahajan, R/o A-13,

Agarsen Colony, Brahmpuri, Jaipur Driver

2. Sudharshan Khunteta S/o Shri Shankar Lal Khunteta, R/o A-13, Agarsen Colony, Brahmpuri, Jaipur Raj. Owner
3. The I.C.I.C.I. Lombard General Insurance Company Limited, Regional Office, Bhagwati Bhawan, Near P.I. Motors, Government Hostel Crossing, M.I. Road, Jaipur Raj. Through Regional Manager

----Respondents

For Appellant(s)	:	Mr. Chanderdeep Singh Jodha (respondent in CMA NO.5952/2017)
For Respondent(s)	:	Mr. Sandeep Mathur with Mr. Kapil Sharma (Appellant in CMA No.5952/2017)

HON'BLE MR. JUSTICE SANDEEP TANEJA
Judgment

20/04/2026

1. These appeals have been filed under section 173 of Motor Vehicles Act, 1988 against the judgment and award dated 24.07.2017 passed by the learned Motor Accident Claims Tribunal, No.1, Jaipur Metropolitan, in M.A.C. Case No.222/2018, whereby claim petition filed by the claimant was partly allowed.
2. At the outset, learned counsel for the parties jointly submit that during the pendency of this appeal, the claimant and Insurance Company have resolved their dispute amicably by way of a compromise and pray that in terms thereof, the appeal filed by the claimant (CMA No.5952/2017) be disposed of, and the appeal filed by the Insurance Company (CMA No.5605/2017) may be permitted to be withdrawn.
3. A copy of memo of compromise duly signed by learned counsel for the claimant and the Insurance Company, has been

placed on record on 18.03.2026. On a specific query by this Court, learned counsel for the parties submit that they are duly authorized by their respective parties to execute the memo of compromise, which reads as under:-

"The parties to this litigation i.e. appellant-Claimants and Respondent No.3- I.C.I.C.I. Lombard General Insurance Company Limited have entered into compromise on the following terms:-

- 1. An additional lump-sum amount of Rs.25,00,000/- (Twenty Five lakh only) (including interest) shall be paid to the claimant by insurance company by depositing the same before the tribunal concerns within 2 months from today I.e.from date of compromise order in full and final settlement of appeal with claimants. The said enhancement amount shall be disbursed to the claimants through saving bank account.*
- 2. In case, the insurance company fails to deposit the said amount within 2 months from today i.e. from date of compromise order, claimants shall be entitled for interest at 6% PA from the date of compromise order, till payment is made.*
- 3. The Appeal is agreed to be disposed of in terms of this compromise."*

4. In view of the above, the appeal filed by the claimant (CMA No.5952/2017) is disposed of in terms of the compromise arrived at between the parties and the appeal filed by the Insurance Company (CMA No.5605/2017) is dismissed as withdrawn.

5. All pending applications, if any, stand disposed of.

6. Record of the Tribunal be sent back forthwith.

(SANDEEP TANEJA),J