

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No. 50/2023

The New India Assurance Company Limited

----Appellant

Versus

Surendra Prasad Son Of Late Lallu Prasad & Ors.

----Respondents

For Appellant(s) : Mr. Sanjay Kumar Singhal, Advocate

HON'BLE MR. JUSTICE CHANDRA KUMAR SONGARA

Order

17/01/2023

Heard.

Admit.

Issue notice.

S.B. Civil Misc. Stay Application No.29/2023:-

Heard.

In the meanwhile, execution of the impugned award dated 22.09.2022 passed by the Motor Accident Claims Tribunal, Gangapur City (Raj.) shall remain stayed subject to the condition that the appellant-Insurance Company shall deposit the entire award amount with the learned Tribunal within a period of six weeks from today. If the entire award amount is deposited with the concerned Tribunal within the specified period, the concerned Tribunal is directed to disburse 60% of the deposited amount to the claimants on their furnishing an undertaking before the concerned Tribunal to the effect that if the appellant ultimately succeeds in this appeal, the said amount shall be refunded to the appellant-Insurance Company with interest @ 6% per annum from

the date of withdrawal. The remaining 40% of deposited amount be kept in FDR in any nationalized bank for a period of one year, which shall be renewed from time to time.

The stay application stands disposed of accordingly.

(CHANDRA KUMAR SONGARA),J

Ashish Kumar/49