

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil First Appeal No. 26/2026

Jaipur Vidyut Vitran Nigam Limited & Ors.

----Appellants

Versus

Sanjay Kumar Meena S/o Sh. Hariprasad & Ors.

----Respondents

For Appellant(s)	:	Mr. Sarvesh Jain
For Respondent(s)	:	

HON'BLE MR. JUSTICE MANEESH SHARMA

Order

26/02/2026

1. Since the present appeal is filed well within the period of limitation, therefore, learned counsel for the appellants seeks permission to withdraw the application (IA No.79/2026) filed by him under Section 5 of the Limitation Act, 1963.
2. Permission sought for is granted.
3. Accordingly, the application (IA No.79/2026) under Section 5 of the Limitation Act, 1963, is dismissed as withdrawn.
4. The present first appeal has been filed assailing the judgment and decree dated 26.09.2025 passed by the learned District & Sessions Judge, Alwar, in Civil Miscellaneous Case No. 38/181/2019 (CIS No.38/178/2019) titled as '*Sanjay Kumar Meena & Ors. vs. JVVNL & Ors.*', whereby the respondents/plaintiffs' claim seeking compensation under the Fatal Accidents Act, 1855, was partly decreed and a decretal amount of Rs.13,87,892/- along with interest @9% per annum from the

date of filing of suit, i.e. 01.04.2019, was granted to the plaintiff/respondents.

5. Learned counsel for the appellants submits that the learned Court below seriously erred in failed to consider that the deceased resided on an illegally constructed upper floor of a building situated under a high-tension line. He further submits that the deceased himself was negligent leading to alleged accident resulting his death. Consequently, the learned Court below erred in granting the decree in favour of the plaintiff/respondents. He therefore prays that the impugned judgment and decree dated 26.09.2025 may kindly be set aside.

6. Heard.

7. In view of the submissions made hereinabove, issue notice to the respondents, returnable within four weeks.

8. Notices be filed in two sets. Upon filing the same, one set be sent by ordinary post and another by registered post.

9. Let the record of the learned Court below be summoned.

10. List the matter after four weeks.

11. In the meantime, and until further orders, execution of the impugned judgment and decree dated 26.09.2025 passed by the learned District & Sessions Judge, Alwar, in Civil Miscellaneous Case No. 38/181/2019 (CIS No.(38)/178/2019), shall remain stayed, provided the appellants-JVVNL deposit the entire decretal amount, i.e., Rs.13,87,892/- along with interest @9% per annum from the date of filing of suit, i.e. 01.04.2019, with the concerned Trial Court, within a period of four weeks from today.

12. On depositing the entire decretal amount, i.e., Rs.13,87,892/- along with interest @9% per annum from the date of filing of suit, i.e. 01.04.2019; the same shall be invested in FDR in any nationalized bank and the same shall not be disbursed to the respondents without leave of this Court.

(MANEESH SHARMA),J