

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Miscellaneous Appeal No. 526/2026

SBI General Insurance Company Ltd.

----Appellant

Versus

Smt. Rupa W/o Late Ramesh and Ors.

----Respondents

For Appellant(s)	:	Mr. Chanderdeep Singh Jodha
For Respondent(s)	:	

JUSTICE ANOOP KUMAR DHAND

Order

27/02/2026

1. Counsel for the appellant submits that under Section 66 of the Motor Vehicle Act, 1988 (for short, 'the Act of 1988'), permit is required to ply the vehicle on public way, but in the instant case, the registered owner of the offending vehicle was not having any permit to ply the auto on the road. He further submits that an FIR of the alleged incident was lodged after a delay of one day against an unknown vehicle. Counsel submits that after concocting a false story at a later stage, the registration number of the offending vehicle was mentioned in the statement of one witness- Mahendra, whose name was not even mentioned in the aforesaid FIR that he was an eye witness of the aforesaid accident. Counsel submits that ignoring all these relevant facts, the liability has been fastened upon the Insurance Company to pay compensation to the claimants.
2. Heard. The matter requires consideration.

3. Issue notice of the appeal as well as stay application to the respondents. Rule is made returnable within a period of six weeks.
4. Call for the record.
5. In the meantime, the effect and operation of the impugned award dated 03.11.2025 shall remain stayed, provided the appellant deposits half of the amount of compensation along with interest with the Tribunal within a period of four weeks from today.
6. The Tribunal is directed not to disburse the aforesaid amount to the claimants and the same shall be kept in fixed deposit for a period of one year.
7. Notices be given '*dasti*'.
8. The respondents would be at liberty to move an application for vacation of this order after service.
9. Let a copy of this order be sent to the respondents along with notices.

(ANOOP KUMAR DHAND),J