

Motor Accident Claim Tribunal Jhansi

Presnt: Chandroday Kumar H.J.S.

Date of Institution: 07/24/19 Date of Judgement: 07/10/21 Age: 1 Y, 11 M, 16 D

M.A.C.P. No.- 353 of 2019,

1. Smt. Sharda Devi, 89, S/o Late Ram Sewak,
 2. Manoj Kumar Samadhiya, 45, S/o Late Baikunth Narayan Samadhiya,
 3. Neelesh Samadhiya, 44, S/o Late Baikunth Narayan Samadhiya,
 4. Manish Samadhiya, 43, S/o Late Baikunth Narayan Samadhiya,
- Resident of Saav Ka Pura, Chirgaon Teh.- Moth, Distt. Jhansi U.P.

-----Petitioner

Vs.

1. Shakir Khan S/o Sri Kadir Khan R/o Vedipura, Chirgaon, Teh.- Moth, Distt. Jhansi U.P.

.....Driver Tata Magic No. UP93AT0380

2. Smt. Jaikunwar W/o Ram Kumar R/o 408 Ga, Vedipura, Chirgaon Teh.- Moth, Distt. Jhansi U.P.

..... Registered Owner Tata Magic No. UP93AT0380

3. The New India Insurance Company Limited Jhansi through Regional Manager The New India Insurance Company Limited Kachehry Square, Jhansi, Distt.- Jhansi U.P.

.....Insurer Tata Magic No. UP93AT0380

-----Opposite Parties

Counsel for the Petitioner Sri Rajeev Gupta Advocate

Counsel for the O.P. No. 3 Sri S. C. Gupta Advocate

Desired Compensation- ₹22,00,000 with 12% simple anual interest on account of death of Baikunth Narayan.

10.07.2021

The compromise case has been presented before the Tribunal. Petitioners appeared virtually while their Ld. Counsel and Opposite Party No. 3 The New India Insurance Company Limited through its Ld. Counsel appeared physically.

A reconciliation between the Petitioners and the O.P. No. 3 has been arrived at and the compromise/settlement paper has been presented before the Tribunal. The photocopy of the Aadhaar card of the Petitioners have also been filed with petition. Compromise/settlement paper 57B has been verified in the presence of the both side. The compromise/settlement paper has been read over and explained to the both parties. As per the terms of the said settlement, O.P. No. 3, The New India Insurance Company Limited shall pay ₹5,90,000 (Rupees Five Lakh and Ninty Thousand) as compensation to the petitioners in full satisfaction, which the petitioners agree to take. The Settlement 57B has been affirmed before the Tribunal by the bonafide parties. Therefore, the Petition is liable to be decided in full satisfaction accordingly-

ORDER

The petition is decided according to the terms of the compromise/settlement paper 57B. Opposite Party No. 3 The New India Insurance Company Limited is ordered to deposit the compensation amount of ₹5,90,000 (Rupees Five Lakh and Ninty Thousand) to the Motor Accident Claim Tribunal's Canara Bank Account No. 92352010008560 IFSC- CNRB0019235 through RTGS/NEFT within 30 days. Petitioners shall get 50% compensation amount in their bank account through electronic mode while they shall get 50% in the form of FDR of 3 years each.

The Compromise 57B shall form part of this order. The award be prepared accordingly. The record be consigned as per rules.

(Chandroday Kumar)
PO, MACT, JHANSI