

Motor Accident Claim Tribunal Jhansi

Date of Institution: 10/10/16 Date of Judgement: 07/10/21 Age: 4 Y, 9 M, 0 D

Presnt: Chandroday Kumar H.J.S.

M.A.C.P. No.- 504 of 2021,

1. Smt Anita Devi, 27, W/o Late Ratanlal,
 2. Km. Muskan, 8, D/o Late Ratanlal,
 3. Mayank, 7, S/o Late Ratanlal,
 4. Rajkunwar, 54, W/o Hariram,
 5. Hariram, S/o Khalak Singh
- } through guardian mother Smt. Anita Devi

All Residents of Vill. Simargha Teh.- Garautha Distt.- Jhansi (U.P.)

-----Petitioners

Vs.

1. Brajnandan S/o Sri Pragilal R/o H.No. 18, Pasaora, Jhansi (U.P.)
..... Owner Power Trade Tractor No. UP93BF4055
2. Rajkumar S/o Shivram Singh R/o H.No. 10, Bihar Rath Hamirpur (U.P.)
... .. Driver Power Trade Tractor No. UP93BF4055
3. Branch Manager Magma H.D.I. General Insurance Company Limited 5
Floor, Halwasia CommerceHouse, 11 MG Marg, Habibullah Estate,
Hazratganj, Lucknow 226001
..... Insurer Power Trade Tractor No. UP93BF4055

-----Opposite Parties

Counsel for the Petitioners Sri Mahendra Singh Rajawat Advocate

Counsel for the O.P. No. 1 & 2 Sri R.B. Tomar Advocate

Counsel for the O.P. No. 3 Sri Sunil Shukla Advocate

Desired Compensation- ₹43,22,000 with 12% annual interest.

10.07.2021

The compromise case has been presented before the Tribunal. Petitioners and their Ld. Counsel and Opposite Party No. 3 Magma H.D.I. General Insurance Company Limited through its Ld. Counsel appeared.

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 Aadhar cards of the Petitioners have also been filed with petition. Compromise/settlement paper 28B 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 Magma H.D.I. General Insurance Company Limited shall pay ₹8,00,000 (Rupees Eight Lakhs) as compensation to the petitioner in full satisfaction, which the petitioner agrees to take. The Settlement 28B 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 28B. Opposite Party No. 3 **Magma H.D.I. General Insurance Company Limited** is ordered to deposit the compensation amount of **₹8,00,000 (Rupees Eight Lakhs)** to the Motor Accident Claim Tribunal's Punjab National Bank Account No. **3671000101192489 IFSC-PUNB0367100** through **RTGS/NEFT** within **30 days**. Petitioners shall share 40, 20, 20, 15 & 5% respectively and they shall get 50% each in his bank account through electronic mode and 50% each shall be Fix Deposited for 3 years.

The Compromise 28B shall form part of this order. The award be prepared accordingly. The record be consigned as per rules.

(Chandroday Kumar)
PO, MACT, JHANSI