

Motor Accident Claim Tribunal Jhansi

Presnt: Chandroday Kumar H.J.S.

Date of Institution: 03/09/19 Date of Judgement: 28/07/20 Age: 0 Y, 10 M, 25 D

M.A.C.P. No. – 103 of 2019,

Balendra Singh, 28, S/o Sri Kamal Singh

Resident of vill– Barbai Kahra Distt.–

Mahoba

-----Petitioner

Vs.

1. Sukh Singh S/o Citu R/o Madora Khurd PO– Khilli P/s Poonchh
Teh– Moth Distt.– Jhansi (U.P.)

... .. Owner Dumper Truck No. U.P. 93 AT 9925

2. Matadeen S/o Harprashad R/o vill– Rampura Bangra P/s and
Teh– Tahrauli Distt.– Jhansi

... .. Driver Dumper Truck No. U.P. 93 AT 9925

3. The New India Insurance Company Limited, Civil Lines Near
Kutchehary Chauraha Jhansi through its Regional Manager

... .. Insurer Dumper Truck No. U.P. 93 AT 9925

-----Opposite Parties

Counsel for the Petitioners Sri Indrapal Singh Advocate

Counsel for the O.P. No. 1 & 2 Sri Rakesh Gupta Advocate

Counsel for the O.P. No. 2 Sri Suparv Saran Advocate

28.07.2020

The compromise case was presented in the Virtual Court on 22.07.2020. Petitioner Balendra and his Ld. Advocate Sri Indrapal Singh and Opposite Party No. 3 The New India Insurance Company Limited, through its Ld. Advocate Sri Suparv Saran appeared.

A reconciliation between the Petitioners and the O.P. No. 3 The New India Insurance Company Limited has been arrived at and the compromise/settlement paper has been presented before the Tribunal. The photocopy of the Aadhaar card of the Petitioner has also been filed with the compromise/settlement paper. Compromise/settlement paper no. 38B 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 Insurance Company shall pay ₹ 9,75,000/– (Rs. Nine Lakhs Seventy Five Thousand) as compensation to the petitioner in full satisfaction, which the petitioner agree to take. The Settlement 38B has been affirmed before the Tribunal by the bonafide parties. Therefore, according to the compromise/settlement paper 38B, the Petition is liable to be decided in full satisfaction.

ORDER

The petition is decided according to the terms of the compromise/settlement paper 38B. Opposite Party No. 2 ~~Magma HDI General Insurance Company Limited~~^{3 The New India} Insurance Company Limited is ordered to deposit the compensation amount of ₹ 9,75,000/- (Rupees Nine Lakhs Seventy Five Thousand) to the Motor Accident Claim Tribunal's Syndicate Bank Account No. 92352010008560 IFSC- SYNB0009235 through RTGS/NEFT within 30 days. On depositing the said compensation, the 50 % amount shall be transferred into the petitioners bank account through electronic mode on the satisfaction of Tribunal so that he may open any shop for livelihood and 50 % amount shall be deposited in the highest interest carrying fixed deposit in any nationalized bank for 5 years, annuity of which shall be paid in his bank accounts..

The Compromise 38B shall form part of this order. The award should be prepared accordingly. The file be consigned as per rules.

(Chandroday Kumar)
PO, MACT, JHANSI