

Motor Accident Claim Tribunal Jhansi

Presnt: Chandroday Kumar H.J.S.

Date of Institution: 11/30/16 Date of Judgement: 02/06/21 Age: 4 Y, 2 M, 7 D

M.A.C.P. No.– 573/2016,

1. Chaturbhuj, 30 years, S/o Sri Chaturbhuj

2. Smt Devkuwanr, 37, W/o Sri Chaturbhuj

3. Ramesh, 56, D/o Sri Nandu

All residents of vill– Jarvo PO– Ghughva Distt.– Jhansi (U.P.)

-----Petitioners

Vs.

1. Kishan Kumar S/o Ramadhar R/o 124 Hira Nagar Garotha

... .. Owner Bollero No. U.P. 93 AA 3789

2. Ravindra Kumar S/o Nathuram R/o vill– Hira Nagar P/s Kakrai Nai
Bast Garotha Distt– Jhansi

... .. Driver

3. Chola Mandlam Insurance Company Limited, IInd Floor Merigold
Building, Hazrat Ganj, Sapru Marg, Lucknow

-----Opposite Parties

Counsel for the Petitioners Sri Ashok Kumar Agrawal Advocate

Counsel for the O.P. No. 1 & 2 Sri Kartar Singh Yadav

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

Desired Compensation– ₹08,45,000 with 12% annual interest.

06.02.2021

The compromise case presented before the Tribunal. Petitioners and their Ld. Counsel and Opposite Party No. 3 Chola Mandlam 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 Aadhaar cards of the Petitioners have also been filed with petition. Compromise/settlement paper 40B 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 Chola Mandlam Insurance Company Limited shall pay ₹4,80,000 (Rupees Four Lakhs and Eighty Thousand) as compensation to the petitioners in full satisfaction, which the petitioners agree to take. The Settlement 40B 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 40B. Opposite Party No. 3 Chola Mandlam Insurance Company Limited is ordered to deposit the compensation amount of ₹4,80,000 (Rupees Four Lakhs and Eighty

Thousand) to the Motor Accident Claim Tribunal's Syndicate Bank Account No. 92352010008560 IFSC- SYNB0009235 through RTGS/NEFT within 30 days. Petitioners No. 1, 2, & 3 are father, mother and grand father of the deceased respectively so they shall share the compensation amount in ratio of 40:40:20. On depositing the said compensation, the 70% shall be fix deposited for 3 years and rest amount shall be transferred into the their bank accounts through electronic mode.

The Compromise 40B shall form part of this order. The award be prepared accordingly. The record be consigned as per rules.

(Chandroday Kumar)
PO, MACT, JHANSI