

Motor Accident Claim Tribunal Jhansi

Presnt: Chandroday Kumar H.J.S.

Date of Institution: 06/03/20 Date of Judgement: 02/10/21 Age: 0 Y, 8 M, 7 D

M.A.C.P. No. – 85/2020,

1. Meera Devi, 43 years, W/o Late Babulal
2. Rohit, 23, S/o Late Babulal
3. Mohit, 21, S/o Late Babulal
4. Maniram, 75, S/o Late Punu Kushwaha
5. Smt. Heera Devi, 74, W/o Sri Maniram

All residents of vill– Chhirona PO– Jaryae Teh– Moth Distt.– Jhansi (U.P.)

-----Petitioners

Vs.

1. Vijay Kumar S/o Sri Srikanth R/o Vill & Poat– Bichhodna, Teh– & Distt.– Datiya (M.P.)

... .. Driver Motorcycle No. M.P. 36 MQ 3872

2. Anil Goswami S/o Sri Swati Goswami R/o vill. & post– Jayora Mora, Prathvipur Distt– Tikamgarh (M.P.)

... .. Owner Motorcycle No. M.P. 36 MQ 3872

3. The New India Insurance Co. Ltd. Tikamgarh through Regional Manager The New India Insurance Co. Ltd., Kutchehry Chouraha, Jhansi, Distt.– Jhansi

... ..Insurer Motorcycle No. M.P. 36 MQ 3872 through cover note No.–IA908068 validity Date– 14.11.2019 to 13.11.2020

-----Opposite Parties

Counsel for the Petitioners Sri Rajeev Gupta Advocate

Counsel for the O.P. No. 3 Rajni Jain Advocate

Desired Compensation– ₹31,00,000 with 12% annual interest for death of Babulal.

10.02.2021

The compromise case presented before the Tribunal. Petitioners and their Ld. Counsel and Opposite Party No. 3 The New India Insurance Co. Ltd., 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 22B has been presented before the Tribunal. The photocopy of the Aadhaar cards of the Petitioners have also been filed with petition. Compromise/settlement paper 22B 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 Co. Ltd. shall pay ₹7,25,000 (Rupees Seven Lakhs and Twenty Five Thousand) as compensation to the petitioners in full satisfaction, which the petitioners agree to take. The Settlement 22B 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 22B. Opposite Party No. 3 The New India Insurance Co. Ltd. is ordered to deposit the compensation amount of ₹7,25,000 (Rupees Seven Lakhs and Twenty Five Thousand) to the Motor Accident Claim Tribunal's Punjab National Bank Account No. 3671000101192489 IFSC- PUNB0367100 through RTGS/NEFT within 30 days. Petitioners No. 1, 2, 3, 4 & 5 are wife, son, son, father and mother of the deceased respectively so they shall share the compensation amount in ratio of 60:10:10:5:15. On depositing the said compensation, the 70% shall be deposited in annuity for 3 years and rest amount shall be transferred into the their bank accounts through electronic mode.

The Compromise 22B shall form part of this order. The award be prepared accordingly. The record be consigned as per rules.

(Chandroday Kumar)
PO, MACT, JHANSI