

ORIGINAL AWARD

**IN THE MOTOR ACCIDENT CLAIMS TRIBUNAL (AUX),
CITY CIVIL & SESSIONS COURT, AHMEDABAD**

MAC PETITION NO. 04 OF 2023

Exh-42

=====

અરજદાર:- આર્યકુમાર મનિષભાઈ પંચોલી
ઉ.વ.હાલ ૧૮, ધંધો, અભ્યાસ,
રહે, ૧૩ શ્રીજી એપાર્ટમેન્ટ, સ્વામીનારાયણ કોલોની,
રામબાગ, મણીનગર, અમદાવાદ.

વિરુદ્ધ.

સામાવાળા:- ૧. અનિલભાઈ મેઘાભાઈ ભરવાડ
ઉ.વ.પુખ્ત, ધંધો, વેપાર,
રહે, હનુમાન વિજય ચાલી, નંદિજ બારેજડી,
તા. દસ્ક્રોઈ, જી. અમદાવાદ.

૨. જયાબેન રણછોડભાઈ ભરવાડ
ઉ.વ.પુખ્ત
રહે, કાચલા કુલ, મુ.પો.ઉતરસંડા, તા. નડીયાદ, જી.ખેડા,

૩. એચ.ડી.એફ.સી.ઈશ્ગો જનરલ ઇન્શ્યોરન્સ કંપની
ઓફીસ ૨૦૬, બીજો માળ, સુપરપ્લાઝા-૪,
એસોસીયેટ પેટ્રોલ પંપની પાસે, સી.જી.રોડ, અમદાવાદ.

Coram: H.H.Judge Shri D.G.Rana
Lok Adalat.

The claim petition has been put before Hon'ble Judge Shri D.G.Rana, for Final hearing and order at National Lok Adalat held on 08.03.2025, in presence of Learned advocate of both side. The Following order is passed

below Exh.01-41 and awarded that...

ORDER

1. The compromise pursis **Exh.:41** is recorded.
2. The claim petition is allowed.
3. The respondent – **HDFC ERGO General Insurance Co. Ltd.** is hereby directed to deposit **Rs.75,000/-(Rupees Seventy-five thousand only)**, after deducting the amount of interim compensation, if any, paid u/s.140 of M.V. Act, as full and final payment, as per the compromise pursis **Exh.:41** accordingly, before the Tribunal.
4. The claimants are permitted to restrict the claim up to **Rs.75,000/-** rest is waived.
5. **The amount payable to the share of claimant, the settled claim amount is below Rs.2,50,000/- (Two lakh Fifty thousand), the claimant shall get full amount by way of A/c. Payee cheque, accordingly.**
6. The court fees refund to be issued in the name of claimant accordingly, if any.
7. The claimants are directed to submit the following details within one week from today:-

(1) Name of the claimant with address.

(2) Name of the Bank & Branch, Bank IFSC Code, Account Number of the claimant.

(3) The first page of the bank pass-book, which will compulsorily contain the photograph of the claimant, duly attested by the Bank concerned, should be made available.

(4) Wherever the claimant are impleaded as Respondents before the claims tribunal, their account details, as above, will have to be furnished.

(5) The insurance companies and transport corporations and such other entities shall deposit the amount as directed in Circular No.08/2022 dated 01/02/2022 in Account Name:- MACT, City Civil & Sessions Court, Account No.00000040749456872, IFSC Code: SBIN0000301 and on such deposits being made, the insurance companies and transport corporations and such other entities shall submit a letter to the Registry of City Civil & Sessions Court enclosing a copy of the said bank advice, in prescribed format as above, as per which the deposit was made to the bank account of the Claims Tribunal, to enable the Claims Tribunal to keep tab on the deposits made and the MACPs for which they were made, which is a fundamental need for a smooth implementation.

(6) The Payment advice for remittance of compensation is as under:-

PAYMENT ADVICE FOR REMITTANCE OF
COMPENSATION

From:

..... Bank

To:

..... Court

We confirm remittance of compensation as follows on
_____ instructions of
(insurance company/transport corporation):-

1. MACP Number
2. On the file of (Claims Tribunal Name)
3. Place
4. Date of award
5. Amount Deposited
6. Income Tax Deduction at Source, if any Unique
Transaction Reference (UTR) No.

(7) The Insurance Companies, Transport Corporations and such other entities making such deposit, shall also send a copy of the payment advice in the aforesaid Clause to the Claims Tribunal concerned and serve a copy of the same on the claimants or their counsel as the case may be.

(8) Insofar as tax deduction at source is concerned, Form 16- of the Income Tax Act should be provided to the claimant/victim on whose behalf the deduction has been made so as to enable him to seek refund of tax deducted.

BILL OF COST

PARTICULAR	APPLICANTS	OPPONENTS
	Rs. ps.	Rs. Ps.
Court Fees (1/2)	--	--
Vakalatnama	03-00	03-00
Stamp on Documents	--	--
Advocate Fee (1/4)	556-25	556-25
Total	559=25	559=25

PREPARED BY

GIVEN UNDER MY HAND AND THE SEAL OF THE
COURT ON 08th DAY OF MARCH, 2025.

(S.M.SHAIKH)
Asst. Superintendent
DECREE DEPT.

CHECKED BY

(D. G.RANA)
MACT (AUX.)JUDGE
LOK ADALAT, CITY CIVIL COURT,
AHMEDABAD (CODE: GJ01590)

(N. J. PATEL)
BENCH CLERK GR.1
DECREE DEPT.

This 13th Day Of March, 2025.