

N A T I O N A L L O K A D A L A T
IN THE MOTOR ACCIDENT CLAIMS TRIBUNAL, (AUX.)
CITY CIVIL COURT, AT AHMEDABAD

MAC PETITION NO.212 OF 2021

ORDER BELOW EXHIBIT: 1 WITH EXHIBIT:20

1. Today, Saturday - 12.03.2022 National Lok Adalat for MACP cases is held. The concerned parties and their Learned Advocates are present before the Tribunal. Heard.
2. The compromise pursis Exhibit:20 is read over to parties, they agreed to the terms and conditions of the compromise. The Claimant/s has prayed to restrict the claim amount upto Rs.7,15,000/-. Hence, compromise pursis is deem as legal, just and bonafide. It deserves to be recorded, considering the Motor Vehicle Act with the object of the legislature as the present law is based on the social welfare scheme and to compensate to the victim person. The Tribunal has also considered the preamble of Lok Adalat. Hence, following order is passed:

:: O R D E R ::

1. The compromise pursis Exhibit:20 is recorded.
2. The claim petition is allowed, as per Compromise Pursis.
3. The Opponent/s (concerned Insurance Company) is hereby directed to deposit **Rs.7,15,000/- (Rupees Seven Lakhs Fifteen Thousand Only)** as per the compromise pursis Exhibit:20 accordingly into the Bank Account maintained by this Tribunal by RTGS or NEFT mode, after deducting the amount of interim compensation, if any, paid under section 140 of the Motor Vehicles Act, 1988, as full and final payment, as per the compromise pursis vide Exhibit:20. The Claimant/s are permitted to restrict the claim upto **Rs.7,15,000/-** and the remaining amount is hereby waived.

4. It is further directed that after depositing the compensation amount, the Opponent/s (Insurance Company) will communicate the factum of the deposit forthwith / expeditiously to this Tribunal with a copy to the beneficiaries. Opponent/s (Insurance Company) are further directed to comply the direction given by the Hon'ble Supreme Court in Writ Petition(s) (Civil) No.534/2020. The details of Bank Account of MACT Tribunal, City Civil Court are as follows:

Name of Bank	State Bank of India, Main Branch, Ahmedabad.
Account Name	City Civil and Sessions Court
Account Number	00000040749456872
IFSC Code	SBIN0000301
Branch Code	00301

5. On depositing the aforesaid amount of compensation, deficit Court fees, if any, be deducted there from and thereafter, the remaining amount be apportioned to the Claimant/s in the ratio i.e. **Claimant No.2 - 80%** and **Claimant No.3 - 20%**, respectively.
6. Thereafter, 40% shall be paid to Claimant/s by direct transfer to the credit of the Bank Account of the Claimant/s as the case may be by NEFT or RTGS and thereafter, remaining 60% of the compensation amount shall be deposited in the name of Claimant/s in a Nationalized Bank or in any Government Security of the choice of Claimant/s for a period of Five years keeping nomination clause with a condition that no Loan or advance would be admissible, but she/he would be entitled to get periodical interest that may accrue on the said F.D.R., as per Rules.
7. Aadhar Number, Pan Number and Bank Account details of the Claimant/ as under shall be furnished to the Nazir of this Court:

Petitioner namely_____

Aadhar Number	
PAN Number	
Name of Bank	
Branch Name	
Account Number	
IFSC Code	

8. The Nazir is directed to comply the direction given by the Hon'ble Supreme Court in Writ Petition(s) (Civil) No.534/2020.
9. Both the parties shall follow the Judgment of **2007 ACJ 1897** in the matter between ***Smt. Hansagauri Prafulchandra Ladhani and Ors., Vs. The Oriental Insurance Company Ltd., & Ors.***
10. The Court Fees refund to be issued to Claimant/s accordingly, if any.
11. Award be drawn accordingly.

Pronounced in the **National Lok Adalat** on this **12th** day of **March, 2022**.

Place: Ahmedabad
Date : 12-03-2022

(VINODBHAI JETHABHAI KALOTRA)
Judge, Court No.08,
M.A.C.T. (Auxiliary), National Lok Adalat,
City Civil & Sessions Court, Ahmedabad.
(Code No.: GJ00486)