

GJVD010003902019



**IN THE MOTOR ACCIDENT CLAIMS TRIBUNAL (AUXILIARY),
VADODARA.**

Motor Accident Claim Petition No.23 OF 2019

CLAIMANT: Makwana Rushikesh Rajendrakumar

Versus

OPPONENTS: 1. Dushyant Manasukhbhai Jalodiya
 2. Harishbhai Ghanashyambhai Jhalodiya
 3. The New India Insurance Co. Ltd.

:: Order below Exhibit 1 ::

The parties have produced *Compromise Pursis* at Exhibit 61. The said *Pursis* bears the signatures of the parties and the learned advocates for the claimant as well as the Insurance Company. It is taken on record.

2. The claimant and the Insurance Company have entered into compromise settling the claim to the tune of ₹1,25,000/-. Having read the *Compromise Pursis*, the settlement arrived at between the parties appears to be voluntary and within the purview of the subject matter of the claim petition. The compromise has, therefore, been recorded in exercise of the powers conferred under Order XXIII of the Code of Civil Procedure, 1908. Hence, the following order is passed:

-:: O R D E R ::-

1. The opponent - Insurance Company is hereby directed to deposit the amount of **₹1,25,000/- (Rupees One Lakh Twenty Five Thousand Only)** in terms of the compromise *pursis* with the office of this Tribunal towards full and final compensation as settled in the claim petition.
2. The office shall not deduct or recover the amount of court fees from the awarded amount deposited with this Tribunal as the matter is compromised in National Lok-Adalat.
3. Court Fee Refund Certificate, as the case may be, be issued in the name of the claimant, if the Court Fees is paid.
4. As this decision is arrived upon the compromise between contesting parties without examining the merits, it would not operate as *res judicata* in any other claim petition, arising from very same vehicular accident.
5. Disbursement order shall be passed after the awarded amount is deposited.
6. Accordingly, the present claim petition stands disposed of in terms of compromise arrived at in National Lok-Adalat.
7. Award/Decree be drawn accordingly.

Sd/-

Place: Vadodara.

(RAJENDRA H. PRAJAPATI)
Member,

Date : 14.09.2024

Motor Accident Claim Tribunal (Aux.)
Vadodara (GJ-00889).
(Lok-Adalat)

V.D. Pandey