

NATIONAL LOK ADALAT
IN THE MOTOR ACCIDENT CLAIMS TRIBUNAL, (AUX.)
CITY CIVIL COURT, AT AHMEDABAD
MAC PETITION NO.256 OF 2006.

ORDER BELOW EXH.:1 WITH EXH.:32

1. Today, Sunday – **22.04.2018** Lok Adalat for MACP cases is held. The concerned parties and their learned Advocates are present before the Tribunal. Heard.
2. The compromise pursis Exh. :32 is read over to parties, they agreed to the terms and conditions of the compromise. The claimant has prayed to restrict the claim amount upto **Rs.1,55,000/-**. 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 **Exh.:32** is recorded.
2. The claim petition is allowed.
3. The respondent – **GUJARAT STATE ROAD TRANSPORT CORPORATION** is hereby directed to deposit **Rs.1,55,000/-(Rupees One Lac Fifty Five Thousand)** 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.:32** accordingly, before the Tribunal.

4. The claimant is permitted to restrict the claim up to **Rs.1,55,000/-** rest is waived.
5. The court fees refund to be issued to claimant accordingly, if any.
6. The amount payable to the share of claimant, an **amount equivalent of 60%** be deposited in any nationalize bank situated near the residence of the petitioners for a period of 5 years. The claimant will not be entitled to withdraw any loan, advance from this fixed deposit without prior permission of this Tribunal. However, the claimant is entitled for periodical interest thereon. **The remaining 40% amount** to be paid to the claimant by account payee cheque after legal and physical verification. **Registry is further ordered that if the claim amount is below Rs. One lac, the claimant shall get full amount by way of A/c. Payee cheque, accordingly.**
7. 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**
8. Award be drawn accordingly.

Pronounced in the National Lok Adalat on this 22nd day of April, 2018.

(Pratik J.Tamakuwala)
MACT (Aux.) Judge, National Lok Adalat,
City Civil Court, Ahmedabad
UNIQUE ID CODE NO.GJ00581