

**NATIONAL LOK ADALAT
IN THE MOTOR ACCIDENT CLAIMS TRIBUNAL, (AUX.)
CITY CIVIL COURT, AT AHMEDABAD**

MAC PETITION NO.204 OF 2017.

ORDER BELOW EXH.:1 WITH EXH.:14

1. Today, Sunday — **22.04.2018** 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 Exh. :14 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.1,00,000/-**. 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.:14** is recorded.
2. The claim petition is allowed.
3. The respondent — **SHRI RAM GENERAL COMPANY LIMITED.** is hereby directed to deposit **Rs.1,00,000/-(Rupees One lac)**, 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.:14** accordingly, before the Tribunal.
4. The claimants are permitted to restrict the claim up to **Rs.1,00,000/--** rest is waived.
5. After above deposit, **25%:25%:25%:25%** amount be given to the claimant Nos.1 to 4 respectively. The claimant Nos.1 to 4

are sons of the deceased respectively.

So far as amount payable to the share of claimant Nos.1 to 4 are concerned, an amount equivalent of 60% be deposited in any nationalize bank situated near the residence of the claimants for a period of 5 years. The claimants will not be entitled to withdraw any loan, advance from this fixed deposit without prior permission of this Tribunal. However, the claimants are entitled for periodical interest thereon. The remaining 40% amount to be paid to the claimant Nos.1 to 4 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.

6. The court fees refund to be issued to claimant accordingly, if any.
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
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