

ORIGINAL AWARD

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

MAC PETITION NO. 206 OF 2023

Exh-23

=====

APPLICANT:- 1) MUNIR MOHAMMADBHAI CONTRACTOR

Address - GALI NO. 6, HOUSE NO. 123, KUTTABI
MOHALLA, DANDIGARA NI POLE, KALUPUR,
AHMEDABAD.

VERSUS

OPPONENTS 1) SHAIKH MOHAMMAD SAMIR,

DRIVER AND OWNER FOUR WHEELER MO.VE. NO.
GJ 01 KN 2281

Address - 303, THIRD FLOOR, SILVER HEIGHTS
FLAT, MUSLIM SOCIETY, NAVRANGPURA,
AHMEDABAD.

2) LIBERTY GENERAL INSURANCE LTD.

203 AND 205, SECOND FLOOR, SHOPPER PLAZA-4,
C.G.ROAD, NAVRANGPURA, AHMEDABAD AND SIXTH
FLOOR, DYNESTY BUILDING, INCOMETAX, NR.
ELLISBRIDGE, NAVRANGPURA, AHMEDABAD

**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 14.09.2024, in presence of Learned advocate of both side. The Following order is passed below Exh.01-22 and awarded that...

ORDER

1. The compromise pursis **Exh.:22** is recorded.
2. The claim petition is allowed.
3. The respondent **No.2 - Liberty General Insurance Co. Ltd.** is hereby directed to deposit **Rs.2,50,000/-(Rupees Two lakhs fifty 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.:22** accordingly, before the Tribunal.
4. The claimants are permitted to restrict the claim up to **Rs.2,50,000/-** 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	APPLICANT	OPPONENT
	Rs. ps.	Rs. Ps.
Court Fees (1/2)	--	--
Vakalatnama	03-00	03-00
Stamp on Documents	--	--
Advocate Fee (1/4)	806-25	806-25
Total	809=25	809=25

PREPARED BY

GIVEN UNDER MY HAND AND THE SEAL OF THE
COURT ON 14th DAY OF SEPTEMBER, 2024.

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

CHECKED BY

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

(R. N. PARMAR)
I/c. BENCH CLERK GR.1
DECREE DEPT.

This 05th Day Of October, 2024.