

ORDER BELOW CLAIM PETITION IN M.A.C.P. No. 796/2024**Applicant :- Heirs of deceased Goganbhai Jadavbhai Sutreja****1. Nathiben Goganbhai (Deleted on death)****2. Pratabhai Goganbhai****3. Nagabhai Goganbhai**

1. Ld. Advocate for the Parties have produced Compromise pursis. The same is recorded and accepted.
2. The Ld. Advocate for the claimant and opponent **IFFCO TOKIO General Insurance Company Ltd.** have entered into compromise settling the claim to the tune of **Rs.4,90,000/- FOUR LAKH NINTY THOUSAND** as per the compromise pursis. Thus, this Tribunal is of the opinion that the settlement arrived between the parties is legal and within the purview of the subject matter of the claim petition and also in the interest of claimant. The compromise is, therefore, recorded accordingly. Hence, the following order is passed:

ORDER

1. As per the Compromise pursis, Opponent **No.2- IFFCO TOKIO General Insurance Company Ltd.** is hereby directed to deposit the amount of **Rs.4,90,000/-** (Rupees Four Lakh Ninty Thousand Only) in the office of this Tribunal towards full & final compensation as settled, after deducting the amount of interim compensation, if any paid or deposited, within three months from the date of this order. The other opponents are hereby exonerated.

2. After deposit of amount, Total amount of Medical bill (if any) will be paid in cash by way of RTGS/ NEFT / account payee cheque after due verification.
3. After above deduction , Remaining amount of the compensation be distributed as 50% amount share to applicant No.1 and 50% share to claimant no.2 and shall be paid in cash by way of RTGS/ NEFT.
4. In view of the ratio laid down by the Hon'ble Supreme Court of India in case of *The High Court of Judicature at Madras Rep. by its Registrar General Vs. M.C. Subramaniam & ors.; Special Leave Petition (Civil) Nos. 3063-3064 Of 2021 reported in LL 2021 SC 97*, the office is directed not to recover any Court Fees and if Court Fee is paid, same shall be refunded to the claimant as per the rules.
5. Court Fees Refund Certificate, as the case may be, shall be issued in the name of the claimant, if the claimant has paid Court fees.
6. The Parties shall bear their own costs.
7. Award be drawn up accordingly.

In view of the above, the present claim petition stands disposed off accordingly as compromised on 14th day of September 2024.

Place: RAJKOT

Date:14/09/2024

**Mohmedsalim Habibkhan Pathan
(GJ00811)
13th Additional District Judge &
M.A.C. Tribunal
RAJKOT**