

**:: AWARD ::**

**BEFORE THE MOTOR ACCIDENT CLAIMS  
TRIBUNAL (AUXILIARY), AT RAJKOT.  
[D.S.Singh, 5th ADDL. DIST. JUDGE, RAJKOT]**

**MACP NO.826/2023**

**EX- 14**

Decided by L.A. on: 14/09/2024

**CLAIMANT/S:**

**SHANKARBHAI MAVJIBHAI PANCHALA**

Address-AT. RAJPARA, TAL. RANPUR, DIST. BOTAD

**VERSUS**

**OPPONENTS:**

**MINI BUS no.GJ-01-DZ-6908:**

**1)Owner: JAYESHBHAI KANJIBHAI RANGANI**

Address- 310, PARIMAL GREEN, NEAR NILKANTH RESIDENCY,  
NEAR JIVANVADI, NIKOL, AHMEDABAD.

**2)INSU. CO.: IFFCO TOKYO GENERAL INSURANCE CO.**

Address: 301,302, SANSKAR COMPLEX, OPP. RAIYA  
TELEPHONE, 150 FEET RING ROAD, RAJKOT

**SUBJECT: CLAIM PETITION FILED U/S. 166 OF THE  
MOTOR VEHICLES ACT 1988 TO RECOVER  
COMPENSATION OF RS.5,00,000/-.**

**APPEARANCE:**

.....  
Ld. Advocate for Claimant : Shri S.J.GOHIL

Ld. Advocate for Opponent No.1 :

Ld. Advocate for Opponent No.2 : Shri S.H.MODHA

.....  
Both the parties i.e. applicant and opponent No.2-  
**IFFCO TOKYO Insurance Co. Ltd.** have submitted the  
compromise pursis at Exh.13 setting the claim for  
**Rs.2,40,000/- (Rupees Two Lacs Fourty Thousand only).**

The same is read over and explained to the parties. They have voluntarily accepted the same. I am also satisfied that it is legal and within the purview of subject matter of the claim petition and also in the interest of claimants. Therefore, the compromise is ordered to be recorded in exercise of the power under Order-23 of The Civil Procedure Code and following order is passed.

**// O R D E R //**

- [1] The opponent No.2- **IFFCO TOKYO Insurance Co. Ltd.** is ordered to pay and deposit in the office of this Tribunal an amount of **Rs.2,40,000/- (Rupees Two Lacs Fourty Thousand only)** towards the final compensation of this claim petition.
- [2] The opponent No.2-Insurance Co. is hereby directed to deposit the aforesaid amount before this Tribunal within a month from the date of this order.
- [3] The amount of interim compensation, if any awarded and paid, be deducted and adjusted in the above said amount.
- [4] The deficit amount of court fees shall be recovered first as per decision reported in 2017(2) GLR-1261.
- [5] Considering the amount of compensation, the whole amount shall be paid to the applicant by way of account payee cheque after due verification.
- [6] The opponents shall follow the guidelines of Hon'ble Gujarat High Court given in **R/Special Civil Application No. 4800 of 2021 in case of The**

**Oriental Insurance Co. Ltd., V/s. Chief Commissioner of Income Tax(TDS),** decided on **05-04-2022**, with regard to the Income Tax Liability.

[7] The amount shall be deposited through **NEFT or RTGS** in the Bank Account with below mentioned details:

|              |                                                          |
|--------------|----------------------------------------------------------|
| Account Name | <b>Joint District Judge Court, Rajkot</b>                |
| Account No.  | <b>7403737956</b>                                        |
| IFSC Code    | <b>IDIB000R007</b>                                       |
| Bank Name    | <b>Indian Bank</b>                                       |
| Branch Name  | <b>Rajkot Main, Toral Building, Subhash Road, Rajkot</b> |

### **MEMO OF COST**

| Sr. No | Particular    | Cost to Claimant | Cost to Opponents |
|--------|---------------|------------------|-------------------|
| 1      | Court fees    | Compromise       | Compromise        |
| 2      | Stamp on V.P. |                  |                   |
| 3      | Advocate fee  |                  |                   |
| 4      | Process fee   |                  |                   |
|        | Total         | -----            | -----             |

Pronounced in open Court on this 14<sup>th</sup> day of September 2024.

Prepared by      Checked by

Assistant      Superintendent  
M.A.C.T.(Auxi)      M.A.C.T.(Auxi)  
Rajkot      Rajkot

**[D.S.Singh ]**  
UIC No. GJ-01513  
M.A.C.T.(Auxi.) and  
5<sup>th</sup> Addl. Dist. Judge,  
Rajkot.