

Filed on :	31/12/2014		
Registered on:	31/12/2014		
Decided on :	20/04/2026		
Duration :	Yrs	Mts	Dys
Exhibit :			

**IN THE MOTOR ACCIDENT CLAIMS TRIBUNAL [AUXI.] &
4TH ADDITIONAL DISTRICT JUDGE,
AHMEDABAD [RURAL] AT NAVRANGPURA**

MAC PETITION NO. 2126 OF 2014.

Petitioner(s):

Pareshbhai Khengarbhai Rathod

Age: 43 Years, Occupation : Service,
Residing at : F/12, Shri Ambe Row-House,
ITI Road, Kubernagar, Sardarnagar,
Ahmedabad.

Filed on :	31/12/2014		
Registered on:	31/12/2014		
Decided on :	20/04/2026		
Duration :	Yrs	Mts	Dys
Exhibit :			

MAC PETITION NO. 2127 OF 2014.

Petitioner(s):

Nareshchandra Khengarbhai Rathod

Age : 40 Years, Occupation : Service,
Residing at : A/11, Shyamdip Society,
Besides Parth Society, Kathwada Road,
New Naroda, Ahmedabad.

VERSUS
(Common)**Respondents:****Truck bearing registration no.GJ-18-AU-8942****1) ~~Prabhulal Magansing Paragi (Driver)~~ [Deleted]****2) Sanjaybhai Manubhai Patel (Owner)**

Age : Adult, Occupation : Business,

Residing At: At Post Nana Chiloda, Gandhinagar.

3) Royal Sundaram Allianz General Insurance Co. Ltd.At : 4th Floor, Chandan House,

Opposite Pantaloons Show-Room,

Mithakhali Six Roads, Ahmedabad.

Jeep bearing registration no.GJ-18-U-9259**4) ~~Mahendra Kalidas Bhoi (Driver)~~ [Deleted]****5) Shaileshbhai Narendrakumar Rathod (Owner)**

Age : Adult, Occupation : Business,

Residing At: Bhoi Vas, At Taluka Prantij,

District Sabarkantha.

6) The New India Assurance Co. Ltd.At : Hub, 3rd Floor, Popular House,

Income Tax Circle, Ashram Road, Ahmedabad.

Appearance:**In both claim petitions.**

Mr. R. A. Indrekar : Ld. Advocate for the petitioners.

The respondents no.1 & 4 are deleted.

Ex-parte against the Respondents No.2 and 5

Ms. A. M. Mistry : Ld. Advocate for the respondent no.3.

Mr. V. M. Christian : Ld. Advocate for the respondent no.6.

COMMON JUDGMENT
=====

1. The different petitioners (hereinafter referred to as

'claimants') have filed different petitions under Section 166 of The Motor Vehicles Act (for short “the Act”) seeking compensation from respondents in their joint and several capacity, on account of injuries suffered by the claimants Pareshbhai Khengarbhai Rathod and Nareshchandra Khengarbhai Rathod in a motor-vehicular accident took place on 22.03.2012.

2. It is worthwhile to mention here that since both these claim petitions arise out of the same accident, hence, both these claim petitions were ordered to be tried together vide order dated 13.08.2025 passed below Exhibit:31 and now both these claim petitions are being decided by this common judgment.
3. Claimants pleaded that on 22.03.2012, both the claimants boarded Jeep bearing registration no.GJ-18-U-9259 (for short “Jeep”) owned by the respondent no.5 and were going towards Himmatnagar. It has been further pleaded that at around 01:30 pm, the said Jeep was passing through the road heading towards Naroda from Nana Chiloda, opposite Rubi Factory, at that time, Dumper bearing registration No.GJ-18-AU-8942 (hereinafter referred to as “the offending vehicle”) owned by the respondent no.2 came driven in full speed, in rash and negligent manner and without following the traffic rules and turned his vehicle. As a result of which, driver of Jeep tried to apply brakes, but, Jeep dashed with the offending vehicle. Due to which, the claimants suffered serious injuries on various

body parts. It has been averred in the claim petition that accident was an outcome of rash and negligent driving of the offending vehicle by its driver and crime regarding accident was registered against the driver of the offending vehicle in Naroda Police Station vide I-C.R.No.172/2012. As such, the claim petition bearing MAC Petition No.2126 of 2014 has been filed claiming compensation of ₹2,00,000/- on account of injuries suffered by the claimant Pareshbhai Khengarbhai Rathod and MAC Petition No.2127 of 2012 has been filed seeking compensation of ₹2,00,000/- for the injuries sustained by the claimant Nareshchandra Khengarbhai Rathod.

4. It is worthwhile to mention here that the respondents no.1 and 4 were ordered to be deleted from the array of the parties of both these claim petitions. Despite service of summons, the respondents no.2 and 5 have not entered their appearance and have not contested the claim petitions. As such, both these claim petitions were ordered to be proceeded as ex-parte against the respondents no.2 and 5.
5. The respondent no.3-insurance company put in its appearance through its Ld. Advocate and submitted its written statements vide Exhibits:44 and 46 in both the claim petitions denying the averments of the claim petitions in its entirety. It has been averred that at the time of accident, the driver of the offending vehicle was not holding valid, effective and legal driving licence. It has

been further averred that Jeep came driven on the wrong side of the road with full speed, in rash and negligent manner and due to failure of brake of Jeep, the alleged accident took place. It has been further averred that claimants have not produced cogent evidence qua their age, income, injuries suffered by them, which resulted in permanent partial disablement, etc. With these submissions, it has been prayed to dismiss the present claim petition qua the respondent no.3.

6. The respondent no.6-insurance company also appeared through its Ld. Advocate and a separate, but, identical written statements were filed in both these claim petitions vide Exhibits:21 and 20 respectively denying the averments of the claim petitions in its entirety. It has been averred that seating capacity of Jeep is 10 persons, but, at the time of accident, more than 10 to 12 persons were travelling in Jeep and they are unauthorized passengers. It has been further averred that at the time of accident, the driver of Jeep was not holding valid, effective and legal driving licence. It has been further averred that claimants may be put to strict proof qua their age, income, injuries suffered by them, which resulted in permanent partial disablement, etc. With these submissions, it has been prayed to dismiss the present claim petition qua the respondent no.6.

Issues and findings of the Court :-

7. From the pleadings of the parties, following issues were

framed by this Tribunal vide Exhibit:26 in MAC Petition No.2126 of 2014:-

1. Whether the petitioner prove that claimant sustained injuries because of rash and negligent driving of the driver of the vehicle involved in the accident?
 2. Whether the petitioner is entitled to get the compensation as prayed for or any part thereof from the respondents or any of them?
 3. What order and award?
8. From the pleadings of the parties, following issues were framed by this Tribunal vide Exhibit:24 in MAC Petition No.2127 of 2014:-

1. Whether the petitioner prove that claimant sustained injuries because of rash and negligent driving of the driver of the vehicle involved in the accident?
2. Whether the petitioner entitled to get the compensation as prayed for or any part thereof from the respondents or any of them?
3. What order and award?

My common findings on the above issues are as under and the reasons for the same are discussed herein after.

FINDINGS

1. In affirmative.
2. As per final order.
3. As per final order.

REASONS

9. The claimant namely Pareshbhai Khengarbhai Rathod has examined himself who had filed his examination-in-chief affidavit as available at Exhibit:34 reiterating the averments of his claim petition. In his cross-examination by the Ld. Advocate for the respondent no.3-insurance company, he admitted that at the time of accident, he was travelling in Jeep. He admitted that at the place of occurrence, there was gap on the road for taking turn. He admitted that he does not know how Dumper came from opposite direction. He also feigned his ignorance that as to which portion of both the vehicles collided with each other. He admitted that driver of Jeep tried to apply sudden brakes, but, as brakes could not be applied, Jeep dashed with Dumper. He feigned ignorance that Jeep turned turtle. He admitted that he has no evidence that he underwent treatment for six months. He deposed that he had taken V. R. S. in the year 2017. He deposed that at present he is serving as Security Guard. Thereafter, this witness was cross-examined by the Ld. Advocate for the respondent no.6-insurance company, who deposed that he boarded Jeep from Galaxy Cinema and was going to Prantij. He deposed that apart from he and his brother, none of their relatives were travelling in Jeep. He deposed that approximately 13 to 14 persons were travelling in Jeep. He stated that he was seated in the back seat behind the seat of driver. He deposed that he was sleeping in Jeep and his brother was seated on his opposite side. He stated that he

does not know whether his brother was sleeping or not. He stated that after he boarded jeep, for approximately two to five minutes he was awakened, at that time, Jeep was running fast. He stated that three persons were seated in the line of driver. He stated that four persons were sitting behind the seat of driver. He admitted that Dumper suddenly dashed with Jeep. He admitted that in the service of Security, he has to stand up for 12 hours. He stated that he receives ₹12,000/- per month towards salary. Apart from above, he denied other suggestions put to him.

10. The claimant namely Nareshchandra Khengarbhai Rathod has examined himself who had filed his examination-in-chief affidavit as available at Exhibit:35 reiterating the averments of his claim petition. He admitted that at the time of accident, he was travelling in Jeep. He admitted that at the place of occurrence, there was gap on the road for taking turn. He admitted that he does not know how Dumper came from opposite direction. He also feigned his ignorance that as to which portion of both the vehicles collided with each other. He admitted that driver of Jeep tried to apply sudden brakes, but, as brakes could not be applied, Jeep dashed with Dumper. He admitted that he has no evidence that he underwent treatment for three months. He deposed that his date of birth is 21.11.1968. he denied that at present he is employed as Supervisor Instructor in Industrial Training Center, out of which, he was ₹33,296/- per month and at present he is employed on same post at Vastrapur. He stated that at present, his salary

is ₹1,40,000/- per month. Thereafter, this witness was cross-examined by the Ld. Advocate for the respondent no.6-insurance company, who deposed that he boarded Jeep from Galaxy Cinema and was going to Prantij. He deposed that apart from he and his brother, none of their relatives were travelling in Jeep. He deposed that approximately 13 to 14 persons were travelling in Jeep. He stated that he was seated in the back seat behind the seat of driver. He deposed that he was sleeping in Jeep and his brother was seated on his opposite side. He stated that he does not know whether his brother was sleeping or not. He stated that after he boarded jeep, for approximately two to five minutes he was awakened, at that time, Jeep was running fast. He stated that three persons were seated in the line of driver. He stated that four persons were sitting behind the seat of driver. He admitted that Dumper suddenly dashed with Jeep. He admitted that expect stitches being taken in his ear, he has not suffered any injury. He stated that at present, he is feeling well and his ear was joined. He admitted that at the time of accident, he was married. He admitted that his allowances have been increased and he is getting increments. He admitted that at present he is not having any difficulty in his ear and because of the injury, he is not not facing any issue in his employment. Except this, he denied other suggestions put to him.

Thereafter, claimants closed their evidence after bringing on record following documents:-

Exhibit	Documents
41	Copy of school leaving certificate of the claimant Pareshbhai.
42	Copy of school leaving certificate of the claimant Nareshchandra Rathod.

11. Despite given ample opportunity, the respondents have not adduced any evidence and, therefore, right to adduce evidence of the respondents was closed.
12. Ld. Advocates for claimants and the respondents have argued as per the pleadings and evidence.
13. I have heard learned counsel for the claimants and have gone through the case file carefully. My issue wise findings are as under:-

ISSUE NO.1:

14. So far as this issue is concerned, Ld. Advocate for the respondent no.6-insurance company has brought on record a copy of judgment and award dated 30.04.2025 passed by the Ld. Coordinate Tribunal in MAC Petition No.1619 of 2013 vide List at Exhibit:49, which was filed by the claimant therein who was travelling in Jeep and sought compensation on account of injuries suffered by her in the same motor-vehicular accident. Upon perusing the judgment of the Hon'ble Tribunal, it transpires that earlier point of negligence had already been determined by the Ld. Presiding Officer, MAC Tribunal [Main], Himmatnagar in MAC Petition No.330 of 2012, whereby,

the drivers of both the vehicles i.e. Dumper and Jeep were attributed equal negligence (50%:50%) for causing the accident. It also transpires that owner/insurance company of all vehicles were impleaded as party in the former proceedings. It is worthwhile to mention here that when the parties who are contesting in subsequent proceedings, are also parties in earlier proceedings, the principle of *estoppel* and *res-judicata* will come into play. The principles underlying Section 11 of the Code of Civil Procedure, 1908 would apply to avoid multiplicity of proceedings, to bring an end to the litigation, to avoid contradictory findings and judgments and maintain judicial discipline. It is important to note here that nothing has been brought on record to indicate that the findings of former proceedings were modified or set aside by the Hon'ble High Court of Gujarat. Hence, considering all these aspects, this Tribunal is of the opinion that driver of Dumper bearing registration no.GJ-18-AU-8942 was negligent to the extent of 50% and the driver of Jeep bearing registration no. GJ-18-U-9259 was negligent to the tune of 50%. Hence issue no.1 is accordingly answered in favour of the claimants.

ISSUE NO.2:

MAC PETITION NO. 2126 OF 2014

15. It has been pleaded by the claimant that he was aged 43 years at the time of accident. The claimant has produced copy of his school leaving certificate vide Exhibit:41, in which, date of birth of the claimant is

mentioned as 06.05.1971. As such, it appears that on the date of accident he was aged around 40 years 10 months 16 days. It appears that the claimant has not completed the age of 41 years and, therefore, in view of Judgment of the Hon'ble Supreme court in the case of **Sarla Verma v. Delhi Transport Corporation, 2009 ACJ 1298 and the Schedule-II of the M.V.Act**, a multiplier of 15 is to be taken for the purpose of computing loss of future earnings, since age of the claimant.

16. Upon going through the pleadings of the parties, it appears that the claimant had suffered fracture of radius and ulna right side along with other injuries on various body parts. In these circumstances considering the nature of injuries, the treatment required for such injuries, age of the claimant, his requirement for special diet were certainly the need of hour. Hence, taking into cumulative effect of the injuries into consideration a sum of ₹10,000/- is awarded towards the head of transportation, attendant, special diet, etc.
17. The claimant has not brought on record any medical bills on his treatment, hospitalization, medicines, investigation, etc. Hence, looking to the injuries suffered by the claimant, a lump-sum amount of ₹5,000/- is awarded under the head of medical expenses as well as future medical expense.
18. Claimant's case is that he was doing job, out of which he

was earning ₹6,000/- per month. Admittedly, in the case on hand, the claimant has not produced any evidence in context of his income. As such, it clearly appears that the claimant is miserably failed to prove his income. Hence, considering year of accident; nature work done by the claimant and minimum wages prevailing at the time of accident, this Tribunal is of the view that, notional income of the claimant is derived as ₹4,500/- per month.

19. The claimant has produced disability certificate issued by Dr. N. M. Shah, in which, disablement suffered by the claimant is assessed to the tune 14% in context of whole body. Exhibit:38 is the disability reduce pursis, whereby, both the parties arrived to a consensus to consider the disablement suffered by claimant as 9.5% in context of whole body. Therefore, upon going through the entire case papers as well as injuries suffered by the claimant, it would be just and proper to consider the percentage of loss of earning capacity as 9.5%. Calculation of compensation for permanent disability is assessed as follows:-

Annual income before the accident	₹54,000/-
Loss of future earning capacity 9.5% of annual income.	₹5,130/-
Multiplier with reference to age	15
Loss of future earning	₹76,950/-

20. It is worthwhile to mention here that on account of vehicular accident, the claimant head injury as well as fracture on right thigh along with other injuries on his

various body parts and he remained admitted in Civil Hospital from 22.03.2012 to 24.03.2012. It must be accepted that even after discharge from hospital, the claimant remained confined to his home, unable to work for at least one month. He is, therefore, entitled to compensation for loss of income for one month during treatment. For loss of income of one month during treatment, the claimant is entitled to compensation of ₹4,500/-.

21. It is not possible to exactly compensate claimant for the pain, shock and suffering, which he had actually suffered because of the injuries and disability. Hence, keeping in view the extent and nature injuries suffered by the claimant as well as duration of treatment taken by his, compensation for pain, shock & suffering works out to ₹10,000/-.
22. In view of the above fact, circumstances and discussion made here in above the claimant is entitled for the following amount as compensation:

Loss of future earning	₹76,950/-
Loss of income during treatment	₹4,500/-
Medical Expense	₹5,000/-
Pain, shock & suffering	₹10,000/-
Transportation, attendant, special diet.	₹10,000/-
Total Compensation	₹1,06,450/-

In all, claimant is found entitled to a sum of ₹1,06,450/-

on the all the above count as just compensation.

MAC PETITION NO. 2127 OF 2014

23. It has been pleaded by the claimant that he was aged 40 years at the time of accident. The claimant has produced copy of his school leaving certificate vide Exhibit:42, in which, date of birth of the claimant is mentioned as 21.11.1968. As such, it appears that on the date of accident he was aged around 43 years 04 months 02 days. Therefore, in view of Judgment of the Hon'ble Supreme court in the case of **Sarla Verma v. Delhi Transport Corporation, 2009 ACJ 1298 and the Schedule-II of the M.V.Act**, a multiplier of 14 is to be taken for the purpose of computing loss of future earnings, since age of the claimant.
24. Upon going through the pleadings of the parties, it appears that the pinna of right ear of the claimant was cut along with other injuries on various body parts. In these circumstances considering the nature of injuries, the treatment required for such injuries, age of the claimant, his requirement for special diet were certainly the need of hour. Hence, taking into cumulative effect of the injuries into consideration a sum of ₹7,500/- is awarded towards the head of transportation, attendant, special diet, etc.
25. The claimant has not brought on record any medical bills on his treatment, hospitalization, medicines, investigation, etc. Hence, looking to the injuries suffered by the

claimant, a lump-sum amount of ₹5,000/- is awarded under the head of medical expenses as well as future medical expense.

26. Claimant's case is that he was doing job, out of which he was earning ₹6,000/- per month. In his examination-in-chief affidavit, it has been averred by the claimant that at the time of accident, he was employed in Industrial Training Institute, Kubernagar and was earning ₹33,296/- per month. In his cross-examination, the claimant stated that at present he working in as Supervisor Instructor and is deputed in Industrial Training Center in Vastrapur and he is earning ₹1,40,000/- per month. He also accepted that he is receiving increments as well as his allowances have also been increased. Though the claimant has produced his pay slip, yet, he has not proved the same and, thus, it can be said that no cogent evidence is available on record in context of income of the claimant.
27. The claimant has brought on record disability certificate of Dr. N. M. Shah, in which, permanent partial disablement suffered by the claimant is assessed to the tune 10% in context of whole body. Exhibit:47 is the disability reduce pursis, whereby, both the parties arrived to a consensus to consider the disablement suffered by claimant as 4% in context of whole body. Therefore, upon going through the entire case papers as well as injuries suffered by the claimant, it would be just and proper to consider the percentage of loss of earning capacity as 4%. In the case

on hand, the claimant has admitted that presently he is not having any difficulty in his ear and because of the injury, he is not facing any issue in his employment. Considering the fact that after the accident, salary and other allowances of the claimant are increased; he is not facing any difficulty in performing his duty; and that no cogent evidence is available on record in context of monthly income of the claimant and, hence, a sum of ₹10,000/- is awarded under the head of loss of amenities of life.

28. It is worthwhile to mention here that on account of vehicular accident, the claimant had suffered simple injuries and he has not produced any evidence in context of his income at the time of accident. Further, the claimant has also not produced any evidence that how much days he availed leave and any *iota* of evidence showing that he had taken leave of how many days, thereby, he was deprived of financial benefits from his employer. In absence of any evidence, this Tribunal is of the opinion that the claimant is not entitled to get compensation under the head of loss of actual earnings.
29. It is not possible to exactly compensate claimant for the pain, shock and suffering, which he had actually suffered because of the injuries and disability. Hence, keeping in view the extent and nature injuries suffered by the claimant as well as duration of treatment taken by his, compensation for pain, shock & suffering works out to ₹7,500/-.

30. In view of the above fact, circumstances and discussion made here in above the claimant is entitled for the following amount as compensation:

Loss of amenities of life	₹10,000/-
Medical Expense	₹5,000/-
Pain, shock & suffering	₹7,500/-
Transportation, attendant, special diet.	₹7,500/-
Total Compensation	₹30,000/-

In all, claimant is found entitled to a sum of ₹30,000/- on the all the above count as just compensation.

LIABILITY:

31. As discussed hereinabove, driver of Dumper bearing registration no.GJ-18-AU-8942 was held negligent to the extent of 50% and the driver of Jeep bearing registration no. GJ-18-U-9259 was negligent to the tune of 50%. It is worthwhile to mention here that in former proceedings relating to same accident, the Ld. Presiding Officer of Coordinate Tribunal vide its judgment and award dated 30.04.2025 passed in MAC Petition No.1619 of 2013 had elaborately discussed and decided the point of liability. Further, in this case, the claimants were travelling in Jeep and they are third parties and they have not contributed in causing the accident and it was a composite negligence qua them. In case of composite negligence, the claimants are entitled to seek compensation either from the drivers of both vehicles or can recover the entire amount of compensation from any of the drivers of vehicle because in

case of composite negligence, liability is joint and several.

32. Hence, considering overall facts and circumstances of the present case, this Tribunal is of the opinion that respondents no.2 and 3 who are owner and insurance company of Truck bearing registration no.GJ-18-AU-8942 and the respondents no.5 and 6 who are owner and insurance company of Jeep bearing registration no.GJ-18-U-9259 are liable in their joint and several capacity to indemnify the claimants.
33. Looking to the facts and circumstances of the present case, prevalent rate of interest in nationalized bank and considering Judgments of the Superior Courts, it would be just and proper to award interest at the rate of 9% per annum. Therefore, looking to the circumstances of the case, the petitioners are awarded interest from the date of the petition till the realization of the amount. These issues are decided accordingly and on the final issue, following order is passed in the interest of justice:

ORDER

MAC PETITION NO. 2126 OF 2014

- The Claim Petition is hereby **partly allowed** with costs and interest against the respondents.
- The Petitioner is entitled to recover **₹1,06,450/- (Rupees One Lakh Six Thousand Four Hundred Fifty only)** with proportionate cost and interest at the rate of 9% per annum from the date of filing of the claim petition till realization

of the amount from the respondents in their joint and several capacity.

MAC PETITION NO. 2127 OF 2014

- The Claim Petition is hereby **partly allowed** with costs and interest against the respondents.
 - The Petitioners are entitled to recover **₹30,000/- (Rupees Thirty Thousand only)** with proportionate cost and interest at the rate of 9% per annum from the date of filing of the claim petition till realization of the amount from the respondents in their joint and several capacity.
- (1) The respondents are hereby jointly and severally directed to deposit the above amount of award in the office of this Tribunal, after deducting the amount of interim compensation, if any, paid under section 140 of the Motor Vehicle Act, within one month from the date of this order.
 - (2) On depositing of the above amount of award by the respondents in this Tribunal, deficit amount of Court Fee Stamp, if any, on the awarded amount be deducted first and thereafter, remaining payable amount be paid to the Petitioner through NEFT/RTGS as the amount is minimal.
 - (3) Respondents are hereby directed to deposit the aforesaid amounts before this Tribunal within one month from the date of this order. Further, in view of the directions of the Hon'ble Supreme Court in the case of **Bajaj Allianz General Insurance Company Pvt. Ltd. Vs. Union of India & Ors.** in **W.P. (Civil) No.534/2020** and the directions of the Hon'ble High Court, respondents are directed to

deposit the aforesaid amounts by way of Direct Bank Transfer through NEFT or RTGS only to the below mentioned Bank Account of this Claims Tribunal.

Bank Name. : State Bank of India, Bhadra
Branch, Lal Darwaja,
Ahmedabad – 380001.
Bank Account Name. : PRINCIPAL DIST. JUDGE
ABAD RURAL MACP.
Bank Account No. : 00000040722625356
Bank IFSC Code. : SBIN0000301
Bank MICR Code. : 380002002

(4) Further, after deposit of the awarded amount, the respondents are instructed to ensure that deposit of the awarded amount, along with payment advice by way of direct bank transfer to the above said Bank Account in compliance of the Award passed by the Tribunal is accomplished by furnishing the following information in the format prescribed herein below to the Nazir Department of this Tribunal for maintaining the account MACP Deposits by the Court, and also inform to the petitioners herein.

MACP No. :
On the file of :
(Claims Tribunal Name)
Name of the Petitioner/s. :
Date of Award. :
Compensation Amount. :
Name of the bank who Deposit the amount. :
Income Tax Deduction at Source. :

Bank Transaction Ref. No. _____ :
Unique Transaction Ref. No. (UTR) No. _____

- The disbursal of compensation amount shall be made directly to the credit of the bank account of the petitioners by NEFT or RTGS.
- The claimant(s) shall produce copy of their Bank Passbook, Adhar Card and PAN Card within 1 (One) Month from the date of this Order.
- The claimant(s) shall be entitled to receive periodical interest on the Fixed Deposits, but shall not be entitled to raise loan or advance without the prior permission of this Tribunal.
- The Respondents are directed to follow and comply with the directions and guidelines laid down by the Hon'ble Apex Court in case of ***the Oriental Insurance Company Vs. Chief Commissioner of Income-Tax (TDS) in R/SPCA NO.4800/2021 decided on 05.04.2022*** for the purpose of Income Tax.
- Registry, Claimant(s), Respondents and the concerned bank/s shall ensure compliance of the directions of the Hon'ble Supreme Court in the case of Bajaj Allianz General Insurance Company Pvt. Ltd. Vs. Union of India & Ors. in W.P.(Civil) No.534/2020.
- A copy of this judgment be placed in the file of other group matters also.
- Pending application(s), if any, stands disposed off accordingly.

- Award be drawn accordingly.

Signed and pronounced today i.e. on **20th April, 2026.**

(Dipen Dilipkumar Buddhdev)
MACT (Aux.) &
4th Additional District Judge,
Ahmedabad [Rural] at Navarangpura
UNIQUE ID CODE NO.GJ00612