

AWARD

IN THE COURT OF MOTOR ACCIDENT CLAIMS TRIBUNAL (MAIN),
JAMNAGAR.

EXH. - 41

Petitioner:-

1. Kaniyalal Bhavanbhai Surani,
Age : 52 years, Occupation : Tailor,
Resident of Gulabnagar, First Slop,
Opposite Vachchhraj Bhavan,
Behind New Bakala Market,
Gulabnagar, Jamnagar.

V E R S U S

Opponents :-**Driver and Owner of S.T. Bus No.GJ-18-Z-4737**

1. Mansukhbhai Meragbhai Bediyavadar.
Age : 40, Occupation : Driving,
Resident of village Ishvariya,
Ta.Jamjodhpur,
District- Jamnagar.
2. The S.T. Corporation,
Through : Divisional Manager,
Office at Out of Kalawad Naka,
Jamnagar.

Subject: - Petition to claim compensation of Rs.5,00,000/- under section 166 of Motor Vehicle Act, 1988.

Appearance:-

Mr.A.M.Sama, Learned Advocate for Petitioner.

Mr.D.B.Pandya, Learned Advocate for Opponents.

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Petition Registered on : Dt. 17/06/2022

Petition Decided on : Dt. 27/04/2026

Present claim petition has been filed by petitioner under section 166 of Motor Vehicle Act, 1988 seeking compensation of Rs.5,00,000/- along with interest on account of injuries received by him in road side vehicular accident involving vehicle being S.T. Bus bearing No.GJ-18-Z-4737. On 04/10/2020 at about 10:30, Petitioner was driving his Motorcycle bearing No.GJ-10-BD-5575 along-with his wife as pillion rider in moderate speed and on left side of road, when he reached near Santoshi Mata Mandir, Khodiyar Colony Chokdi, at that time driver of ST Bus bearing No.GJ-18-Z-4737 came by driving his vehicle in excessive speed and in negligent

manner and dashed with Motorcycle, resultant Petitioner received severe injuries. Accident occurred due to rash and negligent driving on the part of ST Bus driver.

FINAL = ORDER

- 1- Present Claim Petition is hereby **partly allowed**.
- 2- Petitioner is held entitled for compensation of **Rs.96,000/- (Rupees Ninety Six Thousand Only)** along-with proportionate costs and simple interest at the rate of 9% per annum from the date of petition till its realization to be paid by both Opponents jointly and severally.
- 3- It is further directed that compensation amount shall be deposited directly into the bank account maintained by this Tribunal (detail given below) by RTGS or NEFT mode within one month. And copy of payment advice be kept by Nazir, District Court Jamnagar and Insurance Company shall serve a copy of the same on the claimant/s or their Advocate as the case may be.

Name of Bank	Bank of Baroda, Lal Bungalow Branch, Jamnagar.
Account No.	58090100006648
Account Name	M/S. MOTOR ACCIDENT CLAIM TRIBUNAL
IFSC Code	BARB0LALJAM (Fifth Character from the beginning is zero)
MICR Code	361012008

- 4- It is further directed that depositor shall comply the directions given by Hon'ble Supreme Court in Bajaj Alliance General Insurance Co. Vs. Union of India, Writ Petition (s) (Civil) No. 534 of 2020 as well as directions given by Hon'ble High Court of Madras in Civil Misc. Appeal No.428 of 2016 decided on 11th March, 2016 titled as Divisional Manager, The Oriental Insurance Co. Ltd. Vs. Rajesh & Ors.
- 5- If compensation has been awarded and paid under section 140 of Motor Vehicle Act, than such amount of compensation shall be reduced from the amount of compensation awarded by this order.

6- On depositing the aforesaid amount of compensation, deficit Court fees, if any, be deducted there from and thereafter, the remaining amount shall be paid to the Petitioner by direct transfer to the credit of the bank account of the petitioner by NEFT or RTGS after proper verification.

7- The Opponents shall pay costs of the Petitioner and both the Opponents shall bear their own costs.

8- The Petitioner is directed to furnish his bank particulars i.e. bank account number and branch, IFSC code of concerned Bank and copy of PAN Card before the Registry and thereafter, Registry is directed to make disbursement of the amount of compensation accordingly.

Costs of Petition

Particulars of Costs	Costs of Appl. In Rs.	Costs of Opp. No.1 & 2 In Rs.
1. Court fee paid by applicant	0	0
2. Stamp for power	0	0
3. Stamp for exhibits	0	0
4. Pleader's fee.	2,435	4,475
5. Subsistence for witnesses	0	0
6. Process Fee	0	0
7. Commissioner's fee	0	0
8. Court fee req. to pay by applicants	3,650	0
Total	6,085	4,475

Note : The Judgment is pronounced on 27th April, 2026.

Prepared by Checked by

Suptd. Dy. Registrar

(N.R. Joshi)

Judge Code - GJ 01318

**MACT(Main) & Principal District Judge
Jamnagar**