

AWARD

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

EXH. - 28

Petitioners :-**Legal Heirs of deceased Ramu Jageshver Sahani,**

1. Khusjbu Kumari Ramubhai Sahani,
Age : 22, Occupation : Homemaker,
2. Pramod Jageshver Sahani,
Age : 22, Occupation : Fisherman,
Both are residing near Kankawati Dam,
In the Quarters, village Falla,
Ta/Dist. Jamnagar.

V E R S U S

Opponents :-**Owner of Bus No.GJ-18-Z-3395**

1. The Gujarat State Road Transport Corporation Ltd.,
Office at Out of Kalawad Naka,
Near Shah Petrol Pump, Jamnagar.

Subject: - Petition to claim compensation of Rs.25,00,000/- under
section 166 of Motor Vehicle Act, 1988.

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Appearance:-

Mr.A.Z.Sherji, Learned Advocate for the Petitioners.

Mr.G.D.Pandya, Learned Advocate for the Opponent.

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Petition Registered on : Dt. 29/08/2023

Petition Decided on : Dt. 07/07/2026

Present claim petition has been filed by the petitioner under section 166 of Motor Vehicle Act, 1988 seeking compensation of Rs.25,00,000/- along with interest on account of injuries sustained by her in road side vehicular accident. It is the case of the Petitioners that on 04/05/2023 the deceased was going by driving motorcycle No. GJ-5-B-4172 at a moderate speed. When he reached near sign board of Kankawati Dam and waiting to cross the road, at that time driver of S.T. Bus No.GJ-18-Z-3395 came in an excessive speed and in rash and negligent manner, endangering human life, and dashed with the motorcycle. Thereby, the deceased received grievous

bodily injuries and died instantaneously.

FINAL = ORDER

1- Present Claim Petition is hereby **partly allowed**.

2- Petitioners are held entitled for the compensation of **Rs.10,56,720/- (Rupees Ten Lakh Fifty Six Thousand Seven Hundred Twenty only)** alongwith proportionate costs and simple interest at the rate of 9% per annum from the date of petition till its realization to be paid by Opponent.

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.
A/c. Number	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 Opponent 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, from the remaining amount, **40%** shall be paid to the Petitioners by direct transfer to the credit of the bank account of the petitioners by NEFT or RTGS after proper verification and thereafter, remaining **60%** of the compensation amount shall be deposited in the name of petitioners in a Nationalized Bank or in any Government Security of the choice of Petitioners for a period of Five years keeping nomination clause with a condition that no loan or advance would be admissible, but the Petitioners would be entitled to get periodical interest that may accrue on the said F.D.R as per rules.

7- Petitioner No.1 is entitled to get **90%**, whereas Petitioner No.2 is entitled to get **10%** of the award amount.

8- The Petitioners are directed to furnish their 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.

9- The Opponent shall pay costs of the Petitioners and shall bear its own costs.

Costs of Petition

Particulars of Costs	Costs of Appl. In Rs.	Costs of Opp. No.1 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.	7,259	14,475
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	12,900	0
Total	20,159	14,475

Note : The Judgment is pronounced on 07th day of July- 2026.

Prepared by Checked by

Assistant Dy. Registrar

(N.R. Joshi)

Judge Code - GJ 01318

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