

AWARD

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

EXH. -40

Petitioner:-

1. Sakhinaben Osman Kakkal,
Age about 44 years, Occupation : Business,
Resident of Iqbal Chowk, Bedi,
Jamnagar.

V E R S U S**Opponents :-**

Owner and Insurance Company of Chota Hathi bearing No.GJ-10-TT-936

1. Dilipbhai Jamanlal Gandhi,
Resident of Shakti Export,
A.B. Sandeep Apartment,
11, Patel Colony, Jamnagar.
3. The New India Assurance Co.,
Office at Manek Centre,
P.N.Marg, Jamnagar.

Subject: - Petition to claim compensation under section 166 of
Motor Vehicle Act, 1988.

Petition Registered on : Dt.25/09/2017

Petition Decided on : Dt.16/03/2026

Appearance:-

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

Mr.M.J.Pandya, Learned Advocate for the Opponent No.1.

Mr.B.D.Gosai, Learned Advocate for the Opponent No.2.

Present claim petition has been filed by the petitioner under section 166 of Motor Vehicle Act, 1988 seeking compensation of Rs.2,00,000/- along with interest on account of injuries sustained by her in road side vehicular accident.

FINAL = ORDER

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

2- Petitioner is held entitled for the compensation of **Rs.96,218/-(Rupees Ninety Six Thousand Two Hundred Eighteen 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 No.1 and 2 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.
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 Insurance Company 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 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, awarded 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 Petitioner is directed to furnish her 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.

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

Costs of Petition

Particulars of Costs	Costs of Appl. In Rs.	Costs of Opp. No.1 In Rs.	Costs of Opp. No.2 In Rs.
1. Court fee paid by applicant	0	0	0
2. Stamp for power	3	3	3
3. Stamp for exhibits	0	0	0
4. Pleader's fee.	2,438	2,975	2,975
5. Subsistence for witnesses	0	0	0
6. Process Fee	0	0	0
7. Commissioner's fee	0	0	0
8. Court fee req. to pay by applicants	5,950	0	0
Total	8,391	2,978	2,978

Note : The Judgment is pronounced on 16th March, 2026.

Prepared by Checked by

Assistant Dy. Registrar

(N.R. Joshi)

Judge Code - GJ 01318

MACT(Main) & Principal District Judge

Jamnagar