

AWARD

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

EXH. - 34

Petitioner:-

1. Khimji Govindbhai Rathod,
Age : 62 years, Occupation : Labour,
Resident of behind Nilkamal Society,
Near Hanuman Tekri,
Khodiyar Colony, Jamnagar.

V E R S U S**Opponents :-****Owner and Insurance Company of Truck No.RJ-14-GE-7725**

1. Kailash Chand Yadav,
Resident of 311,
Dhani Kankada Ki V.P.O.,
Rajpura, Jaipur, Rajasthan.
2. The iffco Tokio General Insurance Co., **[Deleted]**
Office at opposite Town Hall, Jamnagar.

[Opponent No.2 deleted as per order passed below Exh.11]

Subject: - Petition to claim compensation of Rs.2,00,000/- under section
166 of Motor Vehicle Act, 1988.

Appearance:-

Mr.P.S.Raval, Learned Advocate for Petitioner.

None for Opponent No.1.

Petition Registered on : Dt. 17/11/2018

Petition Decided on : Dt. 15/04/2026

Present claim petition has been filed by petitioner under section 166 of Motor Vehicle Act, 1988 seeking compensation of Rs.2,00,000/- along with interest on account of injuries received by him in road side vehicular accident involving vehicle being Truck No.RJ-14-GE-7725.

On 18/02/2017, Petitioner going by driving his Motorcycle bearing No.GJ-10-BB-5932 in moderate speed and on left side of road and when he reached near Trikon Baugh, Dhrol, at that time, driver of Truck No.RJ-14-

GE-7725 came by driving his vehicle in excessive speed and in negligent manner from back-side and dashed with Motorcycle, resultant Petitioner received fracture injury on leg as well as bodily injuries and underwent a surgical procedure for the internal fixation of the leg, involving the implantation of an orthopedic plate.

FINAL = ORDER

- 1- Present Claim Petition is hereby **partly allowed**.
- 2- Petitioner is held entitled for compensation of **Rs.63,800/- (Rupees Sixty Three Thousand Eight Hundred Only)** along-with proportionate costs and simple interest at the rate of 9% per annum from the **date of service of Summons to Opponent, that is, 13/08/2024 as per Online Tracking Acknowledgment at Mark 14/1 till its realization to be paid by Opponent No.1.**
- 3- 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.
- 4- On depositing the aforesaid amount of compensation, deficit Court fees, if any, be deducted there from and thereafter, 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.
- 5- 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.
- 6- The Opponent shall pay costs of the Petitioner and shall bear his 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.	2,113	0
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	4,600	0
Total	6,713	0

Note : The Judgment is pronounced on 15th April, 2026.

Prepared by Checked by

Suptd. Dy. Registrar

(N.R. Joshi)

Judge Code - GJ 01318

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