

Original Decree – Award**In the Court of Kheda District's Hon'ble Motor
Accident Claim Tribunal(Auxi.) Judge
Mr.M.J.Brahmbhatt Saheb At.Nadiad.****M.A.C.P. No. 390 of 2021****Exhibit : 12****APPLICANT/ORIGINAL CLAIMANT :-**

Heirs of deceased Ramilaben Manojbhai Bajaniya

(1) Manojbhai Nathabhai Bajaniya (Husband)

Age: 40 Yrs., Occupation: Labour Work,

(2) Minor Hinaben Manojbhai Bajaniya (Son)

Age: 15 Yrs., Occupation: Study,

(3) Minor Nikitaben Manojbhai Bajaniya (Daughter)

Age: 09 Yrs., Occupation: Study,

(4) Minor Ranjitbhai Manojbhai Bajaniya (Son)

Age: 07 Yrs., Occupation: Study,

Applicant No.1 is the Guardian of Applicant Nos. 2 to 4

All Residence: Mu.: Sankhalpura, Tekravas, Becharaji, Ta.Dist.:
Mahesana.

At present Residence: Kamla Chowkadi, Ta.: Nadiad, Dist.: Kheda.

VERSUS**OPPONENTS :-**

(1)(Driver cum Owner of Chhota Hathi No.G.J.02.ZZ.4060)

Shamajibhai Dhulabhai Bajaniya

Age: Adult, Occup.: Driving/Business,

Residence: Naviyari, Ta.: Dasada, Dist.: Surendranagar.

(2) (Insurance Co. of Chhota Hathi No.G.J.02.ZZ.4060)

Chaula Mandalam General Insurance Co. Ltd.

Address: G/5, Ground Floor, Metro City Complex, Pij Road, Nadiad.

Filled on dt. 09.03.2021

Disposed on dt. 24.03.2026

Claim of Rs. 20,00,000/-
Court Fee Stamp paid Rs.0/-

Applicant/s claimed that, deceased got serious injuries and died in accident occurred on 05.09.2020 by Vehicle No. G.J.02.ZZ.4060 of Opponent/s. To get compensation, the following application is filed.

The present Petition today on 24.03.2026 presented before Court of Hon'ble Kheda District Motor Accident Claim Tribunal (Auxiliary) of **Mr. M. J. Brahmhatt**. Advocate **Mr.K.B.Patel** for Applicant and **Mr.G.C.Patel** for Opponent No.1, **Mr. A.V.Gautam** for Opponent No.2 remained present. The final order passed vide **Exhibit- 11**, and the decree has been passed that,

ORDER

- [1] The present claim petition is hereby partly allowed.
- [2] The present petitioners are entitled to recover Rs.15,38,400/- (Rupees Fifteen Lakhs Thirty Eight Thousand Four Hundred Only) from the opponents No.1 & 2 jointly and severally with simple interest @ 7.5% p.a. from the date of the present claim petition till its realization.
- [3] The opponents No.1 & 2 are hereby directed to deposit the above amount of the award in the office of this Tribunal within one month from the date of this order, after deducting interim amount, if paid by them, if any.
- [4] It is hereby further ordered to the opponents that, as per the guidelines of Hon'ble Supreme Court, the amount of award be deposited in the District Bank Account No.02900200000658, IFSC: BARB0NADIAD (the fifth letter is Zero), Bank of Baroda, Main Branch, Nadiad, through R.T.G.S. or NEFT, and the same

shall be informed to the M.A.C.T. Branch, District Court, Kheda at Nadiad, through E.Mail at mact- courtkhe@gujarat.gov.in as per the purshis.

- [5] On depositing the above amount of award by the opponents in this Tribunal, deficit Court Fee Stamp, if any on the awarded amount, be deducted first.
- [6] Thereafter, from the amount of compensation 40% amount be given to the claimant No.1 and remaining 60% amount be equally distributed between the minor claimants No.2 to 4 and thereafter 70% amount be deposited in the name of petitioner No.1 in any nationalized bank of the choice of petitioners for the period of Five Years and remaining 30% amount be paid to the petitioner No.1.

Entire amount of the compensation on the part of the Minor claimants No.2 to 4 be deposited in any Nationalised Bank of the choice of petitioner for the period of five years or till the minors attain the age of majority.

- [7] The petitioners will not be entitled to get any loan, advance or withdrawal or can create any in encumbrances on the aforesaid fixed deposit receipt without prior permission of this Tribunal. However periodical interest accrued from time to time on the fixed deposits be paid to petitioner.

Cost Figure

No.	Expenses incurred by the Applicant	Amount Rs. Ps.	Expenses incurred by the Opponent	Amount Rs. Ps.
1.	Complaint application stamp	-----	Opponent or Cross Claim's Stamp	-----
2.	Stamp on V.P.	3.00	Stamp on V.P.	3.00
3.	The stamp of the submitted papers as per the total paper received	-----	The stamp of the submitted papers as per the total paper received	-----
4.	Witness Charge	-----	Witness Charge	-----
5.	Pleader's Fee on Complaint Claim on Opponent (Rs.15,38,400/-)	9,667.00	Pleader's Fee on Complaint Claim on Opponent (Rs.15,38,400/-)	9,667.00
6.	Process Fee	-----	Process Fee	-----
7.	Copy Fee	-----	Copy Fee	-----
8.	Missing court fee stamp on (Rs.15,38,400/-)	15,00,000/-	Missing court fee stamp on (---)	-----
	Total:	9,670.00	Total:	9,670.00
	Then: The cost of the disallowed amount	-----	Then: Expenses not incurred	-----
	Proportional costs:	9,670.00	Proportional costs	9,670.00

Today on 24th Day of March 2026, my signature and the seal of the court is done here.

Prepared by:

A.S.Desai
Assistant

Compared by:

K.B.Vaghela
Bench Clerk Grade - II

M.J.Brahmbhatt
M.A.C.T. (Auxi.) and
4th Additional District Judge,
Kheda at Nadiad.
Code No.GJ00754