



**ORDER BELOW EXH.1.**

1. Learned advocate for the petitioners is present and he has presented compromise pursis vide Exh.38 in which sign made by the petitioners and also signed by learned advocate for the petitioners Mr. S.K. Joshi as well as learned advocate Mr. P.G. Shah/A.H. Pandya for the opponent No.3 Insurance Company. They have admitted the same and hence the compromise is recorded. Award be drawn in terms of compromise. The Insurance Company opponent No.3 is directed to deposit the amount of compensation of Rs. 20,00,000/- (Rupees Twenty Lacs only) within three months here of failing which the petitioners shall recover the same with running interest at 6% p.a. from the date of default till realization.
2. The amount of compensation u/s.140 of the M. V. Act, if any, paid or deposited under the principle of No Fault Liability, will be adjusted from the aforesaid amount of compensation awarded in this final adjudication.
3. The applicant No. 1 i.e. Payalben Mukeshbhai Vasava has filed a affidavit vide Exh. 35 in which she has declared that her mother Jyotsnaben Pravinbhai Vasava has re-married with Pravinbhai Vasava before 2 years of death of deceased Mukeshbhai, therefore there is no other legal heirs of late Mukeshbhai except petitioner Nos. 1 and 2.
4. Jyotsnaben Pravinbhai Vasava i.e. wife of deceased Mukeshbhai Ramanbhai Vasava has filed an affidavit vide Exh. 36 in which she has

declared that she re-married with one Pravinbhai Rameshbhai Vasava and now, she does not want any share from the compensation awarded by this Tribunal for the accidental death of deceased Mukeshbhai. She will also not ask any share from the compensated amount.

5. Out of the amount of compensation, if any deposited before the Tribunal or recovered amount to be disbursed amongst the petitioners in the following ratio :

- 1. 50% amount to the petitioner No.1.**
- 2. 50% amount to the petitioner No.2.**

6. The amount of share of petitioner No. 1 is required to be disbursed to the petitioner No. 1 in proportion of 50% amount as a Fixed Deposit amount with any nationalized bank for a period of 5 years in the petitioner's name and remaining 50% amount of petitioner's own share is required to be given to the petitioner No. 1 in the petitioner's bank account as per the rules after due identification/verification.

7. In case of minor petitioner No. 2, the share of minor petitioner, is required to be invested in a Fixed Deposit scheme in the name of minor petitioner No. 2 through minor petitioner's natural guardian means minor petitioner's sister petitioner No.1 Payalben Mukeshbhai Vasava on usual terms and conditions in any of the nationalized bank till the minor attains status of major or for five years, whichever is later. The accrued interest of Fixed Deposit shall be paid to the natural guardian of the minor petitioner, if so desired.

8. As regards Fixed Deposit is concerned, no loan or any advance or premature withdrawal is permitted without prior permission of this Tribunal. However, the petitioners will be entitled to withdraw periodical interest accrued on Fixed Deposit.

9. If Court Fee is paid by the petitioners, issue Court Fee Refund Certificate in the name of petitioners as per rules.

10. Award be drawn accordingly.

Pronounced in Continuous Lok Adalat on 18<sup>th</sup> day of April, 2026.

Date: 18/04/2026

Place: Rajpipla .

(Rameshkumar Thakorbhai Panchal)

(GJ00413)

M.A.C.T. (Main)

Narmada, At - Rajpipla