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|---------------|-----|-------|------|
| Received on   | 06  | 12    | 2023 |
| Registered on | 06  | 12    | 2023 |
| Decided on    | 16  | 03    | 2026 |
| Duration      | Day | Month | Year |
|               |     |       |      |

**BEFORE THE MOTOR ACCIDENT CLAIMS TRIBUNAL  
(MAIN), NARMADA, AT - RAJPIPLA**

MOTOR ACCIDENT CLAIM PETITION NO.111 OF 2023

**PETITIONERS**

Heirs of Deceased Machhibhai alias Manshibhai  
alias Mansingbhai Jatarbhai Vasava

1. Bharuben Manchhibhai Vasava  
Age: 30 Years, Occu. : household,
2. Minor Daneshvari Mansibhai Vasava  
Age: 8 years, Occu. : study,
3. Minor Mitulbhai Mansingbhai Vasava  
Age: 6 years, Occu. : study,
4. Minor Pritiben Mansibhai Vasava  
Age: 3 years, Occu. : study,  
(petitioner No. 1 is guardian and best  
friend of petitioner Nos. 2 to 4)
5. Jatarbhai Mojiyabhai Vasava  
Age: 68 Years, Occu. : retired,
6. Maluben Jatarbhai Vasava

Age: 62 Years, Occu. : study,

All are residents of At & Post – Samot,  
Tal. Dediapada, Dist. Narmada.

**VERSUS**

**OPPONENTS**

**Motorcycle No.MH-39-AK-9416**

1. Arvindbhai Bhagabhai Vasave driver  
At & Post – Pipalkhunta,  
Borikhasal Faliyu,  
Tal. Akkalkuva, Dist. Nandurbar  
(Maharashtra)
2. Bhagabhai Bondabhai Vasave owner  
At & Post – Pipalkhunta,  
Borikhasal Faliyu,  
Tal. Akkalkuva, Dist. Nandurbar  
(Maharashtra)
3. Reliance General Insurance Co. ltd. Insurer  
Address : Aditya Complex,  
Kasak, Bharuch

**Appearance:**

Mr. A.K. Parekh/J.A. Parekh, Ld. Advocate for the petitioners.

Opponent No. 1 & 2 : Exparte.

Mr. P.G. Shah/A.H. Pandya, Ld. Advocate for the opponent No.3.

**Subject: Claim Petition for Compensation of  
Rs.25,00,000/- u/s.166 of the M. V. Act, 1988.**

**: J U D G M E N T :**

- [1] The present claim petition is filed by the petitioners under the provision of Sec.166 of the M. V. Act, 1988 against the opponents to get compensation as deceased Machhibhai alias Manshibhai sustained fatal injuries in a vehicular accident on 13.06.2023 and died. It is stated by the

petitioners that on 13.06.2023 deceased Mansingbhai was driving motorcycle No. GJ22-Q-5049 at moderate speed at the left side of the road with care and caution, at that time, near bay of Kelda of village Sagai, within the jurisdiction of Dediapada Police Station, the driver of Motorcycle No. MH39-AK-9416 came driving his motorcycle in rash and negligent manner with excessive speed and without any care and caution, wants to overtake ahead vehicle and lost control over the steering and dashed the motorcycle of the deceased from back side, hence deceased fallen on the road and sustained with grievous injuries and died, thereby the accident has happened.

It is further stated that the accident has happened due to the rash and negligent driving on the part of driver of the offending Motorcycle No. MH39-AK-9416 and in this regard, the FIR has been lodged before Dediapada Police Station against the driver of Motorcycle No. MH39-AK-9416. It is further stated that the deceased was 32 years of age at the time of accident and was earning Rs. 30,000/- per month by working as a Mason. Besides it, he was getting Rs. 5,00,000/- per annum as agricultural income. The petitioners have incurred amount of Rs. 1,00,000/- towards funeral expenses. The petitioner No.1 is wife of deceased, petitioner Nos. 2 to 4 are children of deceased and petitioner Nos. 5 and 6 are parents of deceased and due to the death of deceased, the petitioners have lost their beloved family member. It is further stated that, due to the death of deceased, the petitioners have loss of future

income, funeral expenses, loss of consortium, etc. It is further stated that the petitioners have also suffered mental pain and shock due to the death of deceased. Ultimately, the petitioners have calculated and claimed total amount of compensation as Rs.25,00,000/- under various heads like Loss of Future Income, Mental Pain & Shock, Funeral Expenses, Loss of Consortium, etc., with interest from the date of filing the claim petition till its realization from the opponents jointly and severally.

- [2] This Tribunal has passed the order below Exh. 1 on 25/02/2025 that notice issued to opponent No. 1 and 2 through RPAD vide Mark 25/1 and Mark 25/2 and acknowledgment slip produced on record vide Exh. 22/A and 23/A and therefore notice to be treated as served to the opponent No. 1 and 2 but not remain present before this Tribunal therefore exparte order is passed to proceed against them on dated 25/02/2025.
- [3] The right of opponent No. 3 to file written statement was closed, hence he filed application Exh. 13 to re-open the same which was granted on 10/05/2024. Thereafter, the opponent No. 3 Insurance Company has filed written statement vide **Exh.14** in which it is stated that the petition is false, frivolous and vexatious and all the material allegations made in the petition are false and the petition is not maintainable either on facts or in law against the respondent. Therefore, the petition is not maintainable and

liable to be dismissed. The driver of Motorcycle No. MH39-AK-9416 was not holding valid and effective driving licence at the time of accident. The age, occupation and monthly income of the deceased is denied by it. In short, the opponent No.3 has denied all the material facts of the claim petition as mentioned by the petitioners and prayed to dismiss the present claim petition along with cost.

- [4] The petitioner has produced following documentary as well as oral evidences in the matter :-

**Oral Evidence :-**

| <b>Sr. No.</b> | <b>Evidence</b>  | <b>Exh.</b> |
|----------------|--|-------------|
| 1              | Oral Evidence of Petitioner No.5 Jatarbhai Mojiyabhai Vasava | 28          |

**Documentary Evidence :-**

| <b>Sr. No.</b> | <b>Evidence</b>  | <b>Exh.</b> |
|----------------|--|-------------|
| 1              | Certified copy of FIR  | 30          |
| 2              | Certified copy Inquest panchnama.                                  | 31          |
| 3              | copy of PM Note of deceased  | 32          |
| 4              | copy of certificate from RTO for motorcycle                        | 33          |
| 5              | Copy of insurance policy   | 34          |
| 6              | Copy of Aadhar Cards, PAN Cards and Bank pass-books of applicants. | 35 to 49    |
| 7              | Copy of Caste Certificate of petitioner No. 5                      | 50          |
| 8              | Copy of BPL Ration Card of petitioners                             | 51          |
| 9              | Copy of panchnama  | 52          |
| 10             | Extract of Village Form No. 8-A, 7 and 12 in                       | 57          |

| <b>Sr. No.</b> | <b>Evidence</b>                   | <b>Exh.</b> |
|----------------|-----------------------------------|-------------|
|                | joint name of father of deceased  |             |
| 11             | Copy of charge-sheet              | 58          |
| 12             | Copy of Aadhar Card of petitioner | 59          |

[5] The opponent No. 3 has produced following oral evidences in the matter :-

**Oral Evidence :-**

| <b>Sr. No.</b> | <b>Evidence</b>   | <b>Exh.</b> |
|----------------|---|-------------|
| 1              | Affidavit and examination-in-chief of officer of opponent No. 3 | 70          |

[6] Ld advocate Mr. A.K. Parekh filed closing purshis vide Exh. 60 on 01/07/2025. Mr. P.G. Shah for Insu. Com has filed closing purshis vide Exh. 74 on 03/02/2026.

[7] This Tribunal has framed Issues at Exh. 26 which are as under :

(1)Whether the petitioner proves that deceased met with vehicular accidental death due to rash and negligent driving of the drivers of the vehicle involved in the accident ?

(2)Whether the petitioner is entitled to get compensation ? if yes, what amount ?

(3)What award and order against whom ?

[8] My findings on the above issues are as under: -

(1)In the affirmative.

(2)As per final order.

(3)As per final order.

[9] I have heard learned advocates for the parties.

[10] Learned advocate Mr. A.K. Parekh for the petitioners has filed written arguments vide **Exh. 75** in which he has argued that the petitioners have duly proved their case by producing documentary as well as oral evidences on record. That petitioners may be entitled for compensation of Rs. 46,82,000/-. He has prayed to allow the present claim petition in the interest of justice.

[11] Learned advocate Mr. P.G. Shah for the opponent No.3 has mainly relied on the contentions raised in the W.S. and also filed written arguments vide Exh. 77 in which he has submitted that deceased while riding motorcycle was not wearing helmet required by Section 129 of M.V. Act, if the deceased would have worn helmet, he must have not sustained injuries over head or brain. The FIR is lodged by the person who has not seen the accident therefore principles of Res Ipsa Loquitur will apply. That both the vehicles dashed in front and therefore 50% negligence may be considered. There is damage to both the vehicles. The petitioners may be entitled for amount of Rs. 20,86,000/- as compensation. The opponent No. 1 has not produced driving licence thus burden is on the opponent No. 1 and 2 that driver is holding valid driving licence and that burden is not discharged by opponent Nos. 1 and 2. I The opponent

No. 1 was not holding driving licence at the time of accident therefore requested to reject the petition against it. The ld advocate has relied upon some case-laws but hard copy of these case-laws are not produced on record.

**:: REASONS ::**

**ISSUE NO.1**

[12] This Tribunal has carefully gone through the entire documentary as well as oral evidences and taken into consideration arguments of the learned advocates for the contesting parties.

[13] As regards the point of negligence is concerned, the petitioner No.5 Jatarbhai Mojiyabhai Vasava has filed his affidavit at **Exh.28** and narrated all the averments as made in the claim petition and he has been cross-examined by proxi learned advocate for the opponent No.3 Mr. A.H. Pandya. However, the opponent No.3 has not brought any fact on record at the time of cross-examination of petitioner No.5 to reject present claim petition. The petitioner No.5 has mentioned in his cross-examination (Exh.28) that "I have total 13 children, the deceased was my 4<sup>th</sup> son. It is true that I have not produced birth certificate and evidence of income of deceased Mansibhai. My deceased son was possessing driving licence but it was lost, I shall produce if find it. It is true that I am not eye-witness of alleged accident. It is not true that the accident took place due to negligence of my deceased son Mansibhai." Moreover, while

perusing documentary evidences like F.I.R. (Exh.30) which is filed by Jayantibhai Jatarbhai Vasava, it clearly appears that the complaint has been registered against driver of vehicle motorcycle No.MH-39-AK-9416. The date, time, place of incident, name of victim deceased as well as registration number of vehicle involved are mentioned in the F.I.R. Further, it is mentioned in the Panchanama of place of incident (Exh.52) produced on record. Charge-sheet is filed against driver of motorcycle No.MH-39-AK-9416 (opponent No. 1) is produced on record vide **Exh. 58**. Moreover, Inquest Panchanam and P. M. Report of deceased is produced at Exh.31 & 32 respectively. While on the other hand, driver of motorcycle No.MH-39-AK-9416 has not stepped into witness-box to depose on oath to produce any rebuttal evidence to resist claim petition as far as his negligence is concerned. Hence, adverse inference is required to be drawn against driver of motorcycle No.MH-39-AK-9416.

Therefore, looking to the aforesaid facts and circumstances, this Tribunal is of the view that the accident has happened due to rash and negligent driving on part of driver of motorcycle No.MH-39-AK-9416 involved in the accident. The driver of motorcycle No.MH-39-AK-9416 was supposed to be cautious while driving his vehicle on a public road, but he failed to do so. Therefore, if the driver of motorcycle No.MH-39-AK-9416 taken some care and caution while driving his vehicle, the accident would have

been avoided and the deceased would have not died. In view of the aforesaid discussion, this Tribunal holds that driver of motorcycle No.MH-39-AK-9416 is solely negligent to cause accident, hence Issue No.1 is decided in the affirmative accordingly.

### **ISSUE NO.2**

[14] The next question is regarding the quantum of amount for the compensation. In this regard, age of deceased, income of deceased, etc. are the relevant factors which are discussed below.

### **QUANTUM OF COMPENSATION**

[15] To determine the amount of compensation, the ratio laid down in case-laws **(1) 2009 ACJ 1298 (SC) in the case of Sarla Verma Vs. Delhi Transport Corporation & Anr. of Two-Judge Bench of Hon'ble Supreme Court and (2) National Insurance Company Limited versus Pranay Sethi and Ors. decided in Special Leave Petition (Civil) No.25590/2014 by the Full Bench of Hon'ble Supreme Court**, are to be considered.

[16] In view of finding of Issue No.1, the present petitioners are entitled for the amount of compensation. The petitioners side has mentioned in the claim petition that at the time of accident deceased was 32 years old and in his oral evidence (Exh.28) he has stated that the deceased was 35 years of age at the time of accident. To prove the same, the

petitioner has not produced any evidence but the Inquest Panchnama of deceased is produced vide **Exh. 31** in which his age is shown 39 years. Hence, in absence of any reliable evidence to believe age of the deceased, there is no reason to disbelieve the Inquest Panchnama produced on record vide Exh. 31 to believe age of the deceased at the time of accident, hence, this Tribunal comes to the conclusion that the deceased was aged about 39 years at the time of accident.

It is further stated that at the time of accident deceased was earning Rs. 30,000/- per month by working as a Mason. Besides it, he was getting Rs. 5,00,000/- per annum as agricultural income. To prove agricultural income, the petitioners have produced Extract of Village Form No. 8-A, 7 and 12 (**Exh. 57**) which are in joint name of father of deceased, therefore the agricultural income is not proved by the petitioners. Further, in cross-examination of petitioner No. 5, **he has admitted that he has not produced any evidence to prove age and income of his deceased son, hence they failed to prove income of the deceased as stated in Exh. 1 as well as in affidavit Exh. 28.** Therefore, considering the nature of work of deceased, age of deceased, year of accident to be 2023, income of deceased can be assessed **Rs.11,000/- monthly.**

[17] The learned advocate for petitioner has relied on following case-laws in support of his evidence and arguments :

- R/First Appeal NO. 2370 of 2019 decided by Hon'ble High Court of Gujarat on dated 16/11/2021 in the case between Amjiba wd/o Narendrasinh Alias

Kalusinh Champaksinh Dabhi & 7 others v/s Lilaram Johrilal Yadav & 4 others.

- Civil Appeal No. 5206 of 2016 in the case between Sureshchandra Bagmal Doshi & Anr. v/s The New India Assurance Co. Ltd. & Ors. decided by Hon'ble Supreme Court on 18/04/2018.
- 2013 AC 215 (SC) in the case between Vimal Kanwar and others v/s Kishore Dan and others.
- 2019 ACJ 2652 (CA No. 6339 of 2019, decided on 16/08/2019) in the case between Sunita Tokas and another v/s New India Assurance Co. Ltd. and another.
- R/First Appeal No. 770 of 2021 in the case between Kusumben Allarakha Vahora v/s Farhan Mustakbhai Vohara decided by Hon'ble High Court of Gujarat on 02/12/2021.
- 2010 AC 494 (Guj.) in the case between Bajaj Allianz General Insurance Co. Ltd. v/s Bhikhabhai Manilal Patel and others.
- 2025 (0) AIJEL-HC-250693 in the case between New India Insurance Co. Ltd. v/s Valiben Bhikhabhai Jogadiya
- 2018 (0) AIJEL-SC-61544 in the case between Pappu v/s Vinod Kumar Lamba
- 2013 (0) AIJEL-SC-54142 in the case between S. Iyyapan v/s United India Insurance Co. Ltd.
- 2008 (0) AIJEL-SC-41073 in the case between National Insurance Co. Ltd. v/s Geeta Bhat
- 2004 (0) AIJEL-SC-19396 in the case between National Insurance Co. Ltd. v/s Swaran Singh
- 2013 (0) AIJEL-SC-54342 in the case between Pepsu Road Transport Corporation v/s National Insurance Company.
- 2022 LiveLaw (SC) 646 in the case between Rishi Pal Singh v/s New India Insurance Co. Ltd. & others

The case-laws produced by the learned advocate for the petitioners are applicable to the petitioner to some extent.

[18] Now, considering the ratio laid down in the case of **National Insurance Company Limited versus Pranay Sethi and Ors. decided in Special Leave Petition (Civil) No.25590/2014 by the Full Bench of Hon'ble Supreme Court**, 40% of actual income should be added to the income of the deceased for the assessment of future prospects in case the deceased was below 40 years of aged self-employed person at the time of accident. In the present case on hand, the deceased was about 39 years self-employed person and therefore on addition of 40% amount, the amount would work out to Rs.15,400/- (Rs.11,000/- + Rs.4,400/-). So, Rs.15,400/- would be the monthly income of the deceased for future prospects.

[19] So far as the deduction of personal and living expenses of the deceased is concerned, considering the case-laws (1) 2009 ACJ 1298 (SC) in the case of Sarla Verma Vs. Delhi Transport Corporation & Anr. of Two-Judge Bench of Hon'ble Supreme Court and (2) National Insurance Company Limited versus Pranay Sethi and Ors. decided in Special Leave Petition (Civil) No.25590/2014 by the Full Bench of Hon'ble Supreme Court, 1/4th amount as personal and living expenses of the deceased should be deducted from monthly income of the deceased since six members are depended upon the income of the deceased. Hence, after deducting 1/4th amount out of Rs.15,400/- towards personal and living expenses of the deceased, the

net contribution amount to the family would work out to Rs.11,550/- (Rs.15,400/- – Rs.3,850/-).

[20] In **Sarla Verma and others v. Delhi Transport Corporation and others, 2009 ACJ 1298**, Hon'ble Supreme Court has held that Multiplier-15 is applicable for age group of person between 36 to 40 years. Therefore, considering the age of deceased to be 39 years at the time of accident as decided above, I come to the conclusion that the petitioners are entitled for the benefit of Multiplier-15 in the present claim petition.

[21] Considering the net contribution to the family to be Rs.11,550/- monthly and applying Multiplier-15, it will come to **Rs.20,79,000/- (Rs.11,550/- x 12 x 15), which is the amount of loss of dependency or future loss of income to which the petitioners are entitled to.**

[22] Moreover, the petitioners are also entitled for Rs.15,000/- under the head of Loss of Estate and Rs.15,000/- under the head of Funeral Expenses as per the ratio laid down in the case-law National Insurance Company Limited versus Pranay Sethi and Ors. decided in Special Leave Petition (Civil) No.25590/2014 by the Full Bench of Hon'ble Supreme Court.

[23] Moreover, the petitioner No.1 is spouse of deceased and hence the petitioner No.1 is entitled for Rs.40,000/- under

the head of Loss of Consortium separately as per the ratio laid down in the case-law National Insurance Company Limited versus Pranay Sethi and Ors. decided in Special Leave Petition (Civil) No.25590/2014 by the Full Bench of Hon'ble Supreme Court.

[24] Therefore, the total compensation to the petitioners is as under.

|                       |  |
|-----------------------|--|
| Rs.20,79,000/-        | Future Loss of Income/dependency                             |
| Rs.15,000/-           | Loss of Estate   |
| Rs.15,000/-           | Funeral Expenses   |
| Rs.40,000/-           | Loss of consortium   |
| <b>Rs.21,49,000/-</b> | <b>Total Compensation that the petitioners are entitled.</b> |

**Therefore, as discussed above, the petitioners are entitled for the amount of Rs.21,49,000/- as compensation.**

**Liability :-**

[25] The next Issue is regarding the liability to pay the amount of compensation to the petitioners. In this regard, the officer of Insurance Company has filed his affidavit and examination-in-chief vide **Exh. 70** in which he has stated that driving licence of opponent No. 1 is not produced before this Tribunal and therefore adverse inference may be drawn. Further, the driver and owner have committed breach of policy conditions as well as MV Act and u/s 149 of MV Act, thus Insurance Company is not liable and

adverse inference may be drawn against the driver of owner of the vehicle.

This witness is **cross-examined** by Id advocate for petitioner in which the witness has stated **it is true that insurance policy of offending vehicle was in force at the time of accident.** It is not true that we refuse to give a policy to any customer who comes to take a policy as per rules. It is true that we have issued notice to the vehicle owner Bhagabhai Bondabhai on behalf of insurance company to produce the driver's licence. A letter has been written to the RTO office Nandurbar (Maharashtra) regarding whether opponent No. 1 Arvindhbai Bhagabhai Vasave was holding licence at the time of accident, but there has been no response. **That investigation has been made by insurance company but report is not produced.**

Thus, as per cross-examination of witness of Insurance Company, the witness has admitted that Insurance Company has not produced certificate from RTO, or any other evidence which shows that the opponent No. 1 was not possess driving licenece at the time of accident. The burden is on the shoulder of the Insurance Company to prove that the opponent No. 1 was not having driving licence at the time of accident. Moreover, looking to the record, the opponent No. 3 Insurance Company has not examined any RTO officer to prove that opponent No. 1 was not having driving licence at the time of accident or not produced any certificate from the RTO that opponent No. 1 was not having driving licence at the time of accident.

Thus, the opponent No. 3 Insurance Company has failed to prove that opponent No. 1 was not having driving licence at the time of accident. Thus, the arguments advanced by Id advocate for Insurance Company is not acceptable.

[26] Here in the present case, the opponent No.1 is driver of vehicle motorcycle No. MH39-AK-9416 and the petitioners have duly proved the same by producing copy of FIR **(Exh.30)** and charge-sheet **(Exh. 58)**. Further, the opponent No. 2 is owner of offending vehicle motorcycle No. MH39-AK-9416 which is proved by RC Book **(Exh.33)** of motorcycle No. MH39-AK-9416 which shows Chasis No. MBLHAW113N5A11372 and Engine No. HA11EVN5A56278. The petitioners have also produced copy of Insurance Policy **(Exh.34)** describes insurance period from 23.05.2022 to 22.05.2027 for the vehicle motorcycle No. MH39-AK-9416 Chasis No. MBLHAW113N5A11372 and Engine No. HA11EVN5A56278 which is the same as mentioned in RC Book. The date of accident is 13.06.2023 and therefore there is a coverage of the insurance at the relevant time of the accident. Therefore, opponent No.3 being the Insurance Company is required to indemnify opponent No.2, the owner of the vehicle.

[27] Therefore, considering the above discussion, this Tribunal comes to the conclusion that all the opponents are jointly and severally liable to pay the amount of compensation as

discussed above to the petitioners and I answer all the issues accordingly and pass the following final order in the interest of justice :

**:: O R D E R ::**

- [1] The present claim petition No.111/2023 is partly allowed.
- [2] The opponents are ordered to pay **Rs.21,49,000/- (Rupees Twenty One Lakhs Forty Nine Thousands Only)** as compensation to the petitioners jointly and severally, together with proportionate cost and interest @ 9% p.a. from the date of claim petition till realization.
- [3] 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.
- [4] The opponents are directed to deposit the amount of compensation with interest in this Tribunal within one month from the date of this order.
- [5] Amount of Court fees, if recoverable; be recovered from the awarded amount of compensation.
- [6] Out of the remaining amount, Rs.40,000/- towards loss of consortium is to be paid to the petitioner No.1 Bharuben Manchhibhai Vasava i.e. wd/o Manchhibhai Jatarbhai Vasava, who is spouse of deceased, in cash by A/c. Payee

Cheque. Thereafter, the remaining amount is to be disbursed amongst the petitioners in the following ratio.

- **40% amount to the petitioner No.1 namely Bharuben Manchhibhai Vasava, who is spouse of the deceased.**
- **60% amount is required to be disbursed amongst the petitioner Nos.2 to 6 equally i.e. 12% to each.**

[7] The amount of share of petitioner Nos. 1, 5 and 6 are required to be disbursed to the concerned petitioner Nos. 1, 5 and 6 in proportion of 70% amount as a Fixed Deposit amount with any nationalized bank for a period of 5 years in the petitioner's name and remaining 30% amount of petitioner's own share is required to be given to the concerned petitioner in the petitioner's bank account as per the rules after due identification/verification.

[8] In case of minor petitioner Nos.2 to 4, the share of minor petitioners, is required to be invested in a Fixed Deposit scheme in the name of minor petitioner Nos. 2 to 4 through minor petitioner's natural guardian means minor petitioner's mother petitioner No.1 Bharuben Manchhibhai 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. Upon maturity of the fixed deposit amount, the entire amount invested as Fixed Deposit is required to be paid to the concerned petitioner after due identification/verification by the concerned bank.

The accrued interest of Fixed Deposit shall be paid to the natural guardian of the minor petitioners, if so desired.

- [9] As regards Fixed Deposit is concerned, no loan or any advance or premature withdrawal is permitted without prior permission of this Tribunal. However, the petitioner will be entitled to withdraw periodical interest accrued on Fixed Deposit.
- [10] In view of the directions given by the **Hon'ble Apex Court in the case of Bajaj Allianz General Insurance Co. Ltd. Versus Union of India & Others in Writ Petition (Civil) No.534/2020 dated 16.03.2021 and 16.11.2011**, the bank details of Savings Bank Account of Motor Accident Claims Tribunal, Rajpipla is reproduced here-in-under with a direction to the opponents to deposit the awarded amount of compensation in the below mentioned account details through RTGS/NEFT and thereafter inform the M.A.C.T., Branch, District Court, Rajpipla, through e-mail mentioned here-in-under.

|                |   |  |
|----------------|---|--|
| Account Name   | : | <b>Motor Accident Claim Tribunal, Narmada.</b> |
| Account Number | : | 40771170793                                    |
| Bank / Branch  | : | State Bank of India, Main Branch, Rajpipla     |
| IFSC Code      | : | SBIN0000465                                    |
| MICR Code      | : | 393002001                                      |
| E-mail         | : | mact-dcourt-nar@gujarat.gov.in                 |

[11] Opponents shall bear their own cost.

[12] Award be drawn accordingly.

[13] Yadi be sent to the Nazir, District Court, Rajpipla.

Signed and pronounced in the open Court today on 16<sup>th</sup> day Of  
March, 2026.

Date: 16/03/2026

Place: Rajpipla.

(Rameshkumar Thakorbhai Panchal)

(GJ00413)

M.A.C.T. (Main)

Narmada, At -Rajpipla