

(G.P.V)-1081-1,00,000-6-2008-PA3*
C.P.C-Schedule I Appendix . G. No.9]
[O.20, C.6.7]

AWARD
BEFORE THE MOTOR ACCIDENT CLAIMS TRIBUNAL
(MAIN) OF NAVSARI.

M.A.C.P. No: 16 Of 2020

Ex: 78

PETITIONER:-

Pravinbhai Kalabhai Khetariya,
Age : 48 yrs., Occ. Diamond Polishing Work,
Resi. At Khodiyar Niwas, Behind Gaurishankar Mahollo,
Jalalpore Road, Navsari.

VERSUS

OPPONENTS:-

1. **Nilesh Chimanlal Gandhi,**
Age : Adult, Occupation : Business,
Residing at : 601, Avenue Park Apartment,
Citylight Road, Surat.
(Owner of Maruti Swift Car No. GJ.05.CJ.8090)
2. **Anish Usmanbhai Multani,**
Age : Adult, Occupation : Service,
Residing at : Khwaja Manjil, Rustampura, Surat.
3. **HDFC ERGO General Insurance Co. Ltd.,**
Address : 6th Floor, Leela Business Park,
Andheri, Mumbai.

APPEARANCE:

Mr. K.D.Sukhadia, Learned Advocate for the Petitioner.
Mr. M.N.Parmar, Learned Advocate for the Opponent No.1 & 2
Mr. A.A.Rana, Learned Advocate for the Opponent No. 3

CLAIM PETITION U/SEC. 166 OF THE MOTOR
VEHICLE ACT FOR CLAIMING COMPENSATION OF
RS. 1,35,000/-

Date of Admission of Application : 28th February of 2020
Date of Registration of Application : 28th February of 2020

Date and place of incident : Date 31/12/2012, 08-00 pm
Near Jalalpore Traffic Point At.
Jalalpore, Dist.Navsari

Registration no. the vehicle : Maruti Swift Car No.
GJ.05 CJ .8090

Death is occurred in the : No, Applicant sustained serious
injuries in Accident.

Complaint regarding the : Jalalpore Police Station Part-A
Cr. No. 03/2013

This Claim Petition Coming on for hearing on the 24th day of April 2026 Before the Motor Accident Claims Tribunal (Main) of Navsari Shri P.J.Tamakuwala Saheb in the presence of Ld. Advocate Mr. A.A.Rana, for the Opponent No.3. It is ordered on basis of Judgement at Ex. No 77.

ORDER

The petition is hereby **partly allowed** with proportionate costs and interest against the opponents.

The petitioner do recover **Rs. 85,260/- (Rupees Eighty Five Thousand Two Hundred Sixty)** from the **opponents** together with interest at the rate of **9% p.a.** from the date of petition till realization of the amount along with proportionate costs of the petition.

The opponents are hereby directed to comply with the provisions of Section 194-A of the Income Tax Act and deposit the afore stated amount of award after deducting the amount of interim compensation, if any paid u/s 140 of M. V. Act directly by RTGS or NEFT to the following

bank account of this tribunal **within 30 days** from the date of this order;

Account Name :-	Motor Accident Claims Tribunal, Navsari.
Bank Name :-	State Bank of India
Account Number :-	40756379884
IFSC :-	SBIN0000439
MICR :-	396002061
Account Name :-	Motor Accident Claims Tribunal, Navsari.

The opponent shall instruct his bank to remit the payment with the following information.

MACP No.	
Claims Tribunal Name, Place	
Date of Award	
Compensation Amount	
Income Tax Deducted at Source	
Bank Transaction Reference No. / Unique Transaction Reference (UTR) No.	
Name of Bank	
Name of Insurance Co.	

On such deposit being made, the opponents shall submit a letter to the office of the Claims Tribunal, Navsari enclosing a copy of the bank advice in the prescribed format as above.

The opponents shall make such deposit, shall also send a copy of the aforesaid payment advice to the Claims Tribunal concerned and serve the copy of the said on the petitioner or her/his advocate as the case may be.

In so far as tax deduction at source is concerned, Form 16-A of the IT Act should be provided to the petitioner on whose behalf the deduction has been made so as to enable him to seek refund of the tax deducted if any.

Deficit Court Fees Stamp, if any, be recovered from the awarded amount.

The entire amount be paid to the petitioner by account payee cheque after due verification.

Opponents bear their own cost and to pay the cost to the petitioner.

The copy of this Judgment and the award to be drawn shall be uploaded on the site and it be also sent to the concerned insurance company on their registered E-mail address available with this tribunal.

The Cost Rs.----- towards the Petition be paid from this date-----till the date of realization, every year second----- Percentage till date.

The debit Court Fee Rs. 3060/- be recover first.

(The Applicant has filed claim petition as pauper)

Costs Of Appeal

	Applicant	Rs.	Rs.	Opponent	Rs.	Rs.
1	Stamp For Memorandum of Appeal	00	00	Stamp for Power	00	00
2	Do .For Power	03	00	Do. For petition	06	00
3	Service Process	00	00	Service of Process	00	00
4	pleader's Fee	2650	00	pleader's fee	2650	00
5	Commission Fee	00	00	Commission Fee	00	00
6	Witness Charge	00	00	Witness Charge	00	00
7	Fee of Copy	00	00	Fee of Copy	00	00
8	Present on Gazette	00	00	Preasent on Gazatte	00	00
	Total	2653	00	Total	2656	00

Costs Not Returnable

1	Stamp of Petition	00	00	Stamp of Petition	00	00
2	Pleader Fee	2328	00	Pleader Fee	00	00
3	Process Fee	00	00	Process Fee	00	00
4	Present Document	00	00	Present Document	00	00
	Total	325	00	Total	2656	00

Given under my hand and the seal of the Court, Dated this 28th day of April, 2026

Sd/-

It is Verified,

Sup.

Sd/-

Dy.Registrar
District Court,
Navsari

Applicant's Advocate

Opponent's Advocate

Sd/-

(P.J.TAMAKUWALA)
M.A.C.Tribunal(Main),
Navsari.

(Parties are hereby warned that after the disposal of appeal, if documents which were submitted are not taken back by the party who submitted those, than those documents are likely to be disposed.)