

GJSK010011012024



ORIGINAL AWARD
**BEFORE THE MOTOR ACCIDENT CLAIMS TRIBUNAL (MAIN) AT
SABARKANTHA @ HIMMATNAGAR.**

MAC PETITION No. 53/2024.

Exh : 14.3

Applicant : Minor Krunal Babubhai Vagari's Natural Guardian &
Next Friend Father Babubhai Virchandbhai Vagari,
Resi. At- Songadh(Sonasan)Ta- Prantij,
Dist-Sabarkantha.

V / s

Opponents: Motorcycle No. GJ-09-DL-4777's :

(1) Driver cum Owner : Ashwinbhai Amichandbhai Parmar,
Resi. At- 215/Parmar Vas, Valiyampura, Ta-Talod,
Dist-Sabarkantha.

(2) Ins. Co. : Bajaj Allianz General Insurance Co. Ltd,
At. 204-206, Time Square, Near Parisima complex, C. G.
Road, Ahmedabad.

Claim amount of Rs. 5,00,000/-

Compromised amount of Rs. : 5,00,000/-

This application Filed & Registered on: 18.06.2024.

This application Compromised & Decided on: 14.03.2026.

Ld. Adv. for the Applicants : Mr. H. M. Tajpuriwala

Ld. Adv. for the opponent / Insu. Co. : Mr. A. D. Patel

The brief facts of this petition :-

The claim petition had arisen out of the vehicular accident had occurred on dtd. 23/12/2023. That in the impugned accident, the applicant sustained injuries on various parts of the body including fracture. Therefore, the claimant has claimed compensation of Rs. 5,00,000/- on various grounds from all the opponents along with interest jointly and severally.

The compromise pursis **Exh. No. 13** has been presented in Special Sitting (General Lok-Adalat) by both the concerned parties for full and final settlement of present petition, on the basis of which, the Tribunal has passed the Order/Award in following Manner.

ORDER

The applicant and opponent No. 2 Insurance Co. have arrived at compromise to settle the claim for **Rs. 5,00,000/- (Rupees Five lac only)** and hence the award is passed in terms of the compromise pursis at **Exh-13**.

The claim against the other opponents shall stand dismissed.

The claim petition is disposed off with the following conditions.

- (1) The claim petition is allowed and an award of the amount of **Rs. 5,00,000/- (Rupees Five lac only)** is passed on the basis of the compromise arrived at between the parties and recorded at **Exh-36**.
- (2) The opponent No. 2 shall deposit alleged above said amount being agreed settlement amount less payment made if any under NFL, within 02 months in this Tribunal, failing which the applicant shall be entitled for the yearly interest at **7%** on awarded amount, after expiry of 02 months.

- (3) The opponent No. 2 is hereby directed to comply with the provisions of section 194-A of the Income Tax Act and deposit the aforesaid 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.

Account Name	Motor Accident Claims Tribunal, Sabarkantha at Himmatnagar.
Account No.	43163682045
Name of Bank	State Bank of India, Himmatnagar.
Name of Branch	Himmatnagar Branch
IFSC Code	SBIN0000381
Email address	nazirmacthmt@gmail.com

The opponent shall instruct its Bank to remit the payment with the following information.

M.A.C.P. No.	
Claims Tribunal Name	
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 deposits being made, the opponent shall submit a letter by email on nazirmacthmt@gmail.com to the office of the Claims Tribunal enclosing a copy of the bank advice in the prescribed format as above at the earliest and shall also serve a copy of the same on the applicant or his advocate as the case may be.

Insofar as tax deduction at source is concerned, Form 16-A of the IT Act should be provided to the applicant on whose behalf

the deduction has been made so as to enable him to seek refund of the tax deducted.

The entire amount of compensation shall be deposited in Fixed Deposit in the name of the minor applicant through his guardian in a nationalized bank of his choice for a period of five years or till the minor attain the age of majority, whichever is later.

The petitioner shall be entitled to withdraw periodical interest on the fixed deposit which shall accrue from time to time, but shall not be entitled to encash the F.D.R. without prior permission of this Tribunal. Necessary intimation be given by letter to the concerned bank with a direction to the bank, not to allow any loan or any encumbrance on the F.D.R.

- (4) The Bank shall intimate to this Tribunal all the particulars of the Fixed Deposit Receipt along with an authentic copy of the F.D.R.
- (5) The applicant is entitled to get refund of Court Fees, if any, paid by the applicant, as per Government Notification No. L/28/09 NALSA dated 14/10/2009 issued by National Legal Service Authority.
- (6) No order as to cost.

// Bill of Cost //

Sr. No.	Particulars	Cost of Applicant/s	Cost of Opponents
1	Stamp on Application	00=00	00=00
2	Stamp on Vakalatnama	10=00	10=00
3	Process Fees.	00=00	00=00
4	Other	00=00	00=00
5	Advocate Fees	4475=00	4475=00
NET AMOUNT :-		4485=00	4485=00

Given under my hand & seal of this Tribunal, Dated : 14th Day of March, 2026.

Drawn (M. M. Solanki)
by: Assistant

Comp. (C. P. Chaudhari)
by: Dy. Registrar

sd/-
(K. R. Rabari)
M. A. C. Tribunal (Main)
Sabarkantha @ Himmatnagar
Unique ID : GJ00477.

Note : Rs. Nil be recovered from the applicant towards deficit Court fees stamp.

Applicant's Advocate

Opponent's Advocate