

GJVD200012182022



Order below Exh.6 in M.A.C.P No.126 of 2022

1. The present application is filed by the applicant u/s.140 of the Motor Vehicles Act to get the interim compensation of Rs.25,000/- for the injuries sustained by the petitioner in a motor vehicular accident arising out of the use of the Motor Vehicle involved in the accident.
2. Read the application and heard the learned Advocates for the concerned parties.
3. I have perused the documents produced by the claimant viz. copies of Complaint, Panchnama of Scene of Occurrence, disability certificate, R.C.Book and insurance particulars of the vehicle involved in the accident, etc. Now, looking to the records of the case, it appears that the alleged vehicle was involved in the accident and due to said accident, the claimant has sustained injuries resulting into permanent partial disablement. It also appears from the records that all the requirements and ingredients mentioned in Sec.140 of the Motor Vehicles Act have been satisfied. Moreover, at this stage, it is not necessary to prove as to whose fault the accident has occurred, because, this claim is on the basis of 'No Fault Liability'. Hence, in my view, the claimant is entitled to get interim compensation under Section 140 of the Motor Vehicles Act. Hence, I pass the following order :-

ORDER

1. The present application is hereby allowed.

2. The opponents are ordered to pay a sum of Rs.25,000/-(Rupees Twenty Five Thousand) to the claimant as interim compensation with simple interest at the rate of 9% per annum from the date of filing of the present application till the realization.
3. The opponents are jointly and severally liable to pay the amount of compensation with interest payable on it. The opponents are also directed to deposit the aforesaid amount by **RTGS/NEFT** in **Account No.40788757089** with State Bank of India, Savli Branch, Dist: Vadodara [**IFSC Code No. SBIN0001036 – Branch Code – 1036**] within one month from the date of this order.
4. The disbursement order will be passed after depositing the compensation amount.
5. The cost and the Court Fees of this application shall follow the cost and Court fees of the main petition.

Signed and Pronounced in the open Court
on this 4th day of December, 2024

sd/-

Place: Vadodara At Savli.

(M.S.Baqui)

Date : 04.12.2024

Motor Accident Claim Tribunal (Aux.) &
10th Additional District Judge,
Vadodara, At Savli (GJ-00683).