

KABG500009732024



**IN THE COURT OF THE PRINCIPAL SENIOR CIVIL
JUDGE AND ADDITIONAL MOTOR ACCIDENT CLAIMS
TRIBUNAL, GOKAK.**

BEFORE: SRI.UMESH S. ATNURE,

B.Com.LL.B.(Spl)

Prl. Senior Civil Judge, Gokak.

M.V.C. No.48/2024

DATED THIS 07th DAY OF AUGUST-2026

01. Smt. Renuka W/o. Maruti Hanamannavar,
Age: 30 years, Occ: Household,
R/o: Pamaladinni, Tq: Gokak, Dist: Belagavi.
02. Smt. Malashri W/o. Raju Uppar,
Age: 18 years, Occ: Household,
R/o: Karoshi, Tq: Chikkodi, Dist: Belagavi.
03. Darshan S/o. Maruti Hanamannavar,
Age: 17 years, Occ: Student,
R/o: Pamaladinni, Tq: Gokak, Dist: Belagavi.
04. Smt. Megha W/o. Parashuram Naganur,
Age: 20 years, Occ: Household,
R/o. Hulikatti, TQ: Mudalagi, Dist: Belagavi.
05. Laxmi D/o. Maruti Hanamannavar,
Age: 13 years, Occ: Student,
R/o: Pamaladinni, Tq: Gokak, Dist: Belagavi.

(The petitioners No.3 and 5 are minor R/by her mother petitioner No.1).

06. Smt. Putalavva W/o. Mallappa Hanamannavar,
Age: 70 years, Occ: Household,
R/o: Pamaladinni, Tq: Gokak, Dist: Belagavi.

Petitioner/s

-VERSUS -

01. Parameshwar S/o. Bhalchandra Rathod,
Age: Major, Occ: Business,
R/o: B-10/45/2-4, Dattaguru Nagar, Sector 15,
Vashi, Navi Mumbai, Thane, Maharashtra-400703.

(Owner of Traveller Ambulance 3 DP vehicle
bearing No.MH-48/K-1067)

02. Sandeep S/o. Madhukar Suryawanshi,
Age: 39 years, Occ: Driver,
R/o: Pagare CHL, Siddharath Colony, Bhim Nagar,
Rashiwashi Sangh, 7 No. Galli Swastik Park Chamber,
Mumbai, Maharashtra-400071.

(Driver of Traveller Ambulance 3 DP vehicle
bearing No.MH-48/K-1067)

03. The Divisional Manager,
The New India Assurance Co., Ltd.,
Club Road, Belagavi.
(Insurer of Traveller Ambulance 3 DP vehicle
bearing No.MH-48/K-1067)
(Policy No.17080031230100000756)
(Valid from 25.08.2023 to 24.08.2024)

Respondent/s

Petitioner/s by Sri.D.P.L., & by Sri.Y.K.K., Advocates

Respondents No.1 & 2 Exparte

Respondent No.3 by Sri.N. Rangaraju V., Advocate

Date of filing of Petition : 04.01.2024

: J U D G M E N T :

1. This claim petition claimed by the petitioners seeking compensation of Rs.1,00,00,000/- for the death of Maruti S/o. Mallappa Hanamannavar in the accident occurred on 23.09.2023.
2. It is the case of the petitioners that on 23.09.2023 at about 01:00 PM., the deceased Maruti along with Hanamant Mayappa Mulimani were proceeding from Ghataprabha towards Mumbai-Dadar vegetable market for seeling the vegetables (Coriander) on vehicle bearing No.KA-22/D-2850 at about 09.00 PM., after the completion of meal at Kaferaj Hotel (Dhaba) within the jurisdiction of Shirwal PS of Danagarwadi village, Kandal taluka, the deceased was standing extremely right side of the road by observing the vehicle moving on the said High Way at that time the driver

of Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067 was came from Pune towards Satara on the said Highway by driving his vehicle in high speed and negligent manner endanger to human life and without observing the pedestrians who are standing beside the road and lost control over his vehicle and dashed to the deceased Maruti and caused this accident, due to impact the deceased Maruti fell down on the road and sustained grievous injuries. Immediately after the accident the deceased was shifted to Jogalekar Hospital, Shirwal by the said Hanamant Mayappa Mulimani. Later the said Hanamant was lodge the complain before the Shirwal P.S. in Shirwal P.S in Cr.No.261/2023 and the said police have enquired about the said accident and found that the said driver of Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067 has dashed to deceased Maruti. Later the said Hanamant has informed the petitioners about the said accident, then the brother of the deceased Maruti was gone to Dr. Jogalekar Hospital at Shirwal and the deceased was

taken treatment and thereafter the deceased was shifted to Umrani Hospital, Gokak but the Maruti died while shifting from Umrani Hospital, Gokak to Gokak to Government Hospital Belagavi on 25.09.2023 due to grievous injuries sustained in the accident and thereby the petitioners have spent huge amount of Rs.5,00,000/- towards medical expenses and the funeral ceremony was conducted by the petitioners at their village and they spent Rs.1,00,000/- towards hire vehicle, conveyance, religious and funeral expenses. Prior to the accident, the deceased was hale and healthy and he was aged about 38 years and doing agriculture and vegetable wholesale business and thereby he was earning Rs.2,00,000/- per annum from agriculture and Rs.2,00,000/- per month from vegetable wholesale business. The deceased was the only earning member of the family hence, they are suffered mentally, physically and financially. The petitioners are the wife, children and mother of the deceased Maruti and there are no other persons to look after them and they are depending on the

income of the deceased. The accident is solely due to rash and negligent driving of the driver of Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067. The respondent No.1 is the owner, respondent No.2 is the driver and the respondent No.3 is the insurer of the said vehicle, hence they are jointly and severally liable to pay compensation to the petitioners. Hence they prayed to allow the petition.

3. In response to the notice issued by this Tribunal, the respondent No.3 appeared through their counsel and filed their objections. The respondents No.1 and 2 placed exparte.
4. The respondent No.3 in their objections have denied the entire contentions of the petitioners and contended that the petitioners No.2 and 4 are married daughters of deceased and petitioners No.2 and 4 are not at all depending on deceased and not entitled to get compensation. Further contended that the deceased Maruti was dashed by unknown vehicles on the road of which the petitioners and

his friend Hanamant Mayappa Mulimani could not see the number of the vehicle or could not identify the said vehicle which dashed the deceased. Hence, colluding with the respondent No.1 and his driver, the petitioners and Hanamant Mayappa Mulimani have filed a false complaint against the driver of the vehicle falsely involving the vehicle bearing No.MH-48/K-1067 so as to extract compensation from the respondent No.3. The respondent No.1, police authority and hospital authority have managed to file a false charge sheet against the driver of the Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067. The driver of the said vehicle was not holding valid and effective driving license and the owner of the same had knowledge that his driver had no effective and valid driving license and in spite of the same the owner has entrusted the same to his unauthorized driver, hence the owner cannot claim any indemnity from insurer of the said vehicle. Hence, the respondent No.3 prayed to dismiss the claim petition.

5. On the basis of above pleadings following Issues were framed.

:: ISSUES ::

- (1) Whether the Petitioners prove that on 23.09.2023 at about 09.00 p.m on Pune-Bengaluru Highway road beside service road near Kaferaj Hotel within the limits of Danagarwadi village, Kandal taluka when one Maruti was standing extremely right side of the road, at that time, the driver of the Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067 came from Pune towards Satara in high speed in a rash and negligent manner so as to endanger to human life without observing the traffic rules and thereby caused the accident resulting in fatal injuries and death of Maruti?

- (2) Whether the petitioners prove that they were dependents of deceased Maruti?
 - (3) Whether respondent No.3 proves that the driver of its insured Ambulance was not holding the effective driving license, and the insured had violated the policy conditions?
 - (4) Whether petitioners are entitled for compensation? If yes, how much and from whom?
 - (5) What order or award?
6. In support of the case of the petitioners, the petitioner No.1 is examined himself as PW-1 and she got marked Ex.P-1 to P-39 and closed their side. The official of the respondent No.3 is examined as RW1 and got marked Ex.R1 and 2 and closed their side.
7. The Learned counsel for the petitioners have filed their written arguments and I have peruse the same. Heard the

arguments of the respondent No.3 and peruse the material available on record.

8. My findings to the above referred Issues are as under;

Issue No.1 :- In the Affirmative

Issue No.2 :- In the Affirmative

Issue No.3 :- In the Negative

Issue No.4 :- Partly in the Affirmative

Issue No.5 :- As per final order

for the following.....

: R E A S O N S :

9. **Issue No.1:-** In support of the case of the petitioners, the petitioner No.1 got examined as PW.1 and in her examination in chief she deposed as per the contentions taken by them and she got marked certified copies of charge sheet as per Ex.P1 and its translation copy as per Ex.P1(a), complaint as per Ex.P-30, Kannada translation copy as per Ex.P31, FIR as per Ex.P32, Kannada translation copy as per Ex.P32(a), crime detail form as per Ex.P33, Kannada

translation copy as per Ex.P33(a), vehicle seizure panchanama as per Ex.P34, Kannada translation copy as per Ex.P34(a), inquest panchanama as per Ex.P35, PM report as per Ex.P36, IMV report as per Ex.P38, MLC as per Ex.P39 and translation copy as per Ex.P39(a). By perusing these documents it clearly goes to show that this accident was took place due to the negligence of the driver of the Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067.

10. In the cross-examination of PW.1, she deposed that she has not personally seen this accident and she admitted that this accident was took place on a Highway and there will be heavy vehicles movement on the highway. She denied that when her husband was crossing the highway some unknown vehicle has dashed her husband and she further denied that she has not produced any documents to show that the ambulance has caused accident to her husband. Further she denied that as per the police records at the time of the accident her husband was crossing the highway

and she also denied that at the spot of the accident there is no provision to cross the road. Further she denied that she is falsely deposing that at the time of this accident, her husband was standing by the side of the national highway. Further she deposed her ignorance that in the highway all vehicles move very fast and she denied that while her husband was crossing the highway at that time one unknown vehicle was caused this accident by taking undue advantage of the said facts, after two days of the alleged accident they have lodge a false complaint and she denied that she is deposing falsely.

11. The official of the respondent No.3 is examined as RW1. In his examination-in-chief he deposed as per contentions taken by them. He got marked authorization letter as per Ex.R1 and policy copy as per Ex.R2. In his cross-examination he deposed that he has not personally visited the spot of the accident and through their company investigation officer they have collected the police documents and based on those police documents he is

giving the evidence. He denied that as per the police documents this accident was caused by the driver of their insured vehicle. Further he deposed that in the panchanama the police officials have falsely stated that the Ambulance vehicle was sustained damages on the left side. They have not challenged the charge sheet and he denied that even though they are knowing very well that this accident was occurred due to the negligence of the driver of their insured vehicle, only with an intention to avoid paying compensation to the petitioners, he is deposing falsely.

12. From the oral and documentary evidence adduced by both the parties it clearly goes to shows that when the deceased Maruti was standing on extremely right side of the road at that time the driver of the Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067 came from Puna towards Satara by driving the Ambulance vehicle in high speed and negligent manner without observing the Maruti who was standing by his right side of the road, he dashed him and ran over from the spot of the accident.

13. It is the contention of the respondent No.3 that while the deceased Maruti was crossing the road one unknown vehicle dashed the deceased Maruti and the petitioner colluding with the police, respondent No.1 they have lodge a false complaint against the driver of the Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067 after two days of the alleged accident and further it is the contention of the respondent No.3 that the Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067 is not involved in this case and the said vehicle is falsely implicated by the petitioners colluding with the respondent No.1 and police. By perusing charge sheet which contains the information issued by the PS Tole road private limited Anewadi Tole Plaza that on 23.09.2023 from 21-00 hours to 24 hours from their tole the Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067 was passed and they have also stated that on the Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067 towards the left side there are some damages. From the said document it is clear that the Traveller Ambulance

3 DP vehicle bearing No.MH-48/K-1067 was pass the said tole. Further by perusing the panchanama as per Ex.P34 and its Kannada translation copy as per Ex.P34(a) it is clear that police have seize the said Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067 on 26.09.2023 i.e., after two days of the alleged accident. Wherein they found damages towards left side i.e., left side mirror was broken and left side front indicator was broken and the bonnet was damaged. The Ex.P34 shows that the said vehicle was sustained damages towards its left side and this fact clearly corroborates with the report submitted by the PS Tole Road Private Limited. Hence, it is clear that the Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067 has caused this accident and during the investigation the police have seize the Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067. Hence, it is clear that Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067 is involved in this accident and this accident was took place due to rash and negligent of the said Ambulance by its

driver. Further by perusing the crime detail form marked as per Ex.P33 and its Kannada translation copy as per Ex.P33(a) it is clear that the deceased Maruti was standing towards right side of the National highway at that time the Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067 came from Pune towards Satara and dashed to the deceased Maruti. Hence, it is clear that the driver of the Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067 was negligently driving the said Ambulance in high speed and without observing deceased who was standing by the side of the road and dashed him and caused this accident and further by perusing the charge sheet marked as per Ex.P1 it is clear that the investigation officer during the course of investigation he has seized the offending vehicle i.e., Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067 and filed the charge sheet against the driver of the said vehicle. Hence, it is clear that in this accident the Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067 is involved and this accident was took

place due to the negligence of the driver of the said Ambulance.

14. The respondent No.3 contended that the said Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067 is not at all involved in this accident and it is falsely implicated. If that was so, they would have examined the investigation officer in order to prove that the Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067 is falsely implicated in this case. Apart from the evidence of their official the respondent No.3 has not examined any other witnesses to show that the Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067 is not involved in this accident and same is falsely implicated by the petitioners colluding with the respondent No.1 and police. Hence, the contention of the respondent No.3 is not acceptable one. By perusing the entire police records, I am of the considered view that this accident was occurred due to negligence of the driver of the Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067.

15. By perusing the medical records, discharge summary, inquest panchanama, PM report they clearly goes to shows that in this accident the deceased Maruti sustained sever injuries inspite of giving treatment to him, he died due to the injuries sustained in this accident. Hence, I am of the considered view that this accident is occurred due to the negligence of the driver of the Traveller Ambulance 3 DP vehicle bearing No.MH-48/K-1067 and due to the injuries sustained in this accident Maruti died. Hence, **I answered the Issue No.1 in the Affirmative.**

16. **Issue No.2:-** The petitioners contended that the petitioner No.1 being the wife, petitioners No.2 to 5 being the daughters and sons and petitioner No.6 being the mother of the deceased Maruti, they are depending on the income of the deceased Maruti. From the cross-examination of PW1 and from the aadhar cards of petitioners marked as per Ex.P13, 15, 19, 22, 25 and surviving family members certificate of deceased Maruti marked as per Ex.P8, they clearly goes to shows that the petitioners are the wife,

daughters, sons and mother of the deceased. In the cross-examination of PW1, she deposed that the petitioner No.2 and 4 are married and they are residing in their husband's house. Further it is also brought on record that in their family apart from the deceased there is no other earning member. Hence, it is clear that the petitioners being the wife, daughters, sons and mother, they are the dependents of the deceased Maruti. The respondent No.3 contended that the petitioners No.2 and 4 are married daughters they are residing at their husband's house, hence they are not the dependents of the deceased. In view of the judgment of the Hon'ble Supreme Court of India in *(2020) 11 SCC 356 in between National Insurance Company Ltd., V/s Birender and Others* wherein it is held that it is thus settled by now that the legal representatives of the deceased having right to apply for compensation. Having said that it must necessarily follow that even the major married and earning sons of the deceased being legal representatives have right to apply for compensation and it would be the bounden duty

of tribunal to consider the application irrespective of the fact that whether they are fully dependent on the deceased and not to limit their claim towards conventional head only. From the above said authority it is clear that even though the major, married and earning sons of the deceased being the legal representatives have right to apply compensation. Further it is also clear from the above said authority that the concerned legal representatives were fully dependents of the deceased and not to limit claim towards conventional head only. Hence by relying on the above said authority I am of the considered view that the petitioners are the dependents of the deceased. Hence the petitioners No.2 and 4 are considered as dependents of the deceased. Hence, the contention of the respondent No.3 is not acceptable one. As the petitioners being the wife, sons, daughters and mother, they are considered as dependents of the deceased. **Hence, I answered the Issue No.2 in the Affirmative.**

17. **Issue No.3:-** The respondent No.3 contended that the driver of the insured Ambulance was not holding the valid and

effective driving license, and the insured had violated the policy conditions. In support this contention the respondent No.3 have not produced any documentary evidence. By perusing the charge sheet marked as per Ex.P1 wherein no case is registered against the driver of the Ambulance for the offences of not holding of valid and effective driving license. Hence, the contention of the respondent No.3 that the driver of the insured vehicle was not holding a valid and effective driving license and its owner violated the terms and conditions of the insurance policy is not acceptable one. Further by perusing the copy of the driving license of the driver of Ambulance vehicle which is available in the record it is clear that the driver of the offending Ambulance vehicle was holding valid and effective driving license as on the date of the accident. Hence, I am of the considered view that the respondent No.3 is failed to prove the driver of the Ambulance was not holding valid and effective driving license and its owner violated the terms and conditions of

the insurance policy. **Hence, I answered the Issue No.3 in the Negative.**

18. **Issue No.4:-** The petitioners contended that as on the date of the accident the deceased was aged about 38 years and he was doing agriculture and vegetable wholesale business and thereby he earning Rs.2,00,000/- per annum from the agriculture and Rs.2,00,000/- per month from the vegetable wholesale business. In support of this contention the petitioners got marked the PM report as per Ex.P36 wherein the age of the deceased Maruti was shown as 45 years. Hence, the age of the deceased is considered as 45 years.
19. Further the petitioners contended that deceased was doing agriculture and vegetable wholesale business and he was earning Rs.2,00,000/- per annum from the agriculture and Rs.2,00,000/- per month from the vegetable wholesale business. In support of this contention the petitioners are produced bank statement of the deceased as per Ex.P9 and

53 vegetable receipts, but by perusing the these documents no where it is fourth coming that the deceased was earing Rs.2,00,000/- from agriculture and Rs.2,00,000/- from vegetable business. In the absence of acceptable material evidence with regard to the income of the deceased the notional income of the deceased is considered at Rs.16,250/-.

20. The petitioners contended that the petitioner No.1 is the wife, the petitioners No.2 to 5 are daughters, sons and the petitioner No.6 is the mother of the deceased Maruti. By perusing the aadhar cards of the petitioners, they clearly goes to shows that they are the wife, daughters, sons and mother of the deceased. Hence, it is clear that they are the legal heirs of the deceased and they are depending on the income of the deceased.

21. As per Sarala Verma's case 1/5th the income is to deducted towards personal expenses of the deceased. Out of Rs.16,250/-, if 1/5th i.e., Rs.3,250/- is deducted it will comes to Rs.13,000/-. As the deceased was doing vegetable

vending business and he is below the age of 45. As per the authority reported in *(2017) 16 SCC 680 in between National Insurance Company Ltd., Vs. Pranaya Sethi*, 25% is to be added towards future prospects of the deceased as he was aged about 45 years. If 25% is added i.e., Rs.3,250/- which comes to Rs.16,250/-. Hence, monthly income of the deceased comes to Rs.16,250/-. As per the Sarala Verma's case multiplier 14 is applicable to the present case on hand. Hence, loss of dependency worth of Rs.27,30,000/- (Rs.16,250/- X 12 X 14). As the petitioner No.1 is the wife and she lost her husband at the very younger age, the petitioners No.2 to 5 are the children lost their father, the petitioner No.6 is the mother of the deceased and she is lost her son and as per the authority reported in *(2018) 18 Supreme Court Cases 130 in between Magma General Insurance Company Limited Vs., Nanu Ram @ Chuhru Ram and Others* the petitioners No.1 lost her husband hence she is entitled for spousal consortium, petitioners No.2 to 5 lost their father hence they are entitled for parental consortium,

the petitioner No.6 lost her son hence she is entitled for parental consortium, hence the petitioner No.1 to 6 are entitled for consortium of Rs.40,000/- each, hence an amount of Rs.2,40,000/- is awarded under the head consortium. Further they are entitled for compensation for loss of estate of Rs.18,150/- and funeral expenses of Rs.18,150/-. The petitioners are produced medical bills as per Ex.P3 and it amounts to Rs.94,085/-. The deceased was treated in the various Hospitals. Hence, the petitioners are entitled for Rs.94,085/- for medical expenses of deceased. Hence, in all the petitioners are entitled for compensation under the following heads;

The details of compensation amount is as under;

Towards loss of dependency	Rs. 27,30,000.00
Towards consortium	Rs. 2,40,000.00
Towards loss of estate	Rs. 18,150.00
Towards funeral expenses	Rs. 18,150.00
Towards medical expenses	Rs. 94,085.00
Total	Rs. 31,00,385.00

Hence, petitioners are entitled for just and reasonable compensation amount of **Rs.31,00,385/-**.

22. While answering the issue No.1 and 3 this Tribunal comes to the conclusion that, accident occurred due to the negligence of the driver of the Traveller Ambulance bearing No.MH-48/K-1067. The petitioners contended that the respondent No.1 is the owner, the respondent No.2 is the driver and the respondent No.3 is the insurer of the said vehicle, as such they are jointly and severally liable to pay compensation to the petitioners.
23. The respondent No.3 got mark the policy copy of the Ambulance bearing No.MH-48/K-1067 as per Ex.R2. By perusing the same it clearly goes to shows that as on the date of the accident the policy issued to the said vehicle was in force and further the respondent No.3 contended that as on the date of the accident the driver of the Ambulance was not holding valid and effective driving license as such, it is a violation of the terms and conditions of the policy hence, they are not liable to pay any compensation them. In

support of this contention the respondent No.3 has not adduced any acceptable evidence, hence the contention of the respondent No.3 is not acceptable one. By perusing the policy copy marked as per Ex.R1 it is clear that as on the date of the accident the policy issued by the respondent No.3 to the ambulance bearing No.MH-48/K-1067 was in force and there is no any violation of the terms and conditions of the policy by the respondents No.1 and 2. Under such circumstances, I am of the considered view that the respondent No.1 and 3 being the owner and insurer of the Ambulance bearing No.MH-48/K-1067 they are jointly severally liable to pay compensation to the petitioners along with interest at the rate of 6% per annum. Hence **I answered the issue No.4 partly in the Affirmative.**

24. **Issue No.5:-** For the above stated reasons I proceed to pass the following;

: O R D E R :

Claim petition filed by the petitioners U/Sec 166 of M.V. Act is partly allowed with costs of Rs.1,000/-.

Petitioners are awarded just and reasonable compensation of **Rs.31,00,385/-** (Rupees Thirty One Lakh Three Hundred Eighty Five only) with interest at the rate of 6% p.a. from the date of petition till realization of the entire amount.

Respondents No.1 and 3 are jointly and severally liable to pay compensation amount to the petitioners. The respondent No.3 is the insurer of the Traveller Ambulance bearing No.MH-48/K-1067 is directed to deposit the awarded compensation amount to the petitioners in the court within 02 months from the date of this judgment.

Draw award accordingly.

: A P P O R T I O N M E N T :

In the compensation amount the petitioner No.1 is entitled for 50%, petitioner No.2 to 5 are

entitled for 10% each and petitioner No.6 is entitled for 10%.

On deposit of compensation amount the petitioner No.1 shall deposit 40% of the compensation amount in any of the Nationalized Bank as F.D. for a period of 02 years.

After expiry of period of fixed deposit the Bank Authorities are at liberty to release the amount shown in the F.D. to the concerned depositor in accordance with rules and regulations of the bank after proper identification of the depositor.

Remaining 60% amount is to be paid to petitioner No.1 under E-payment and after verifying the stay order from the Hon'ble Appellate Court.

As the petitioner No.3 and 5 are minors and the entire share of the petitioners No.3 and 5 are kept as FD till they attain the age of majority.

The entire share of petitioners No.2, 4 and 6 are to be released in their favour under E-

payment after verifying the stay order from the
Hon'ble Appellate Court.

(Dictated to the stenographer, directly typed by him script, script corrected, signed
and then pronounced in the open court by me on **07th day of August-2026**).

(Umesh S. Atnure)
Prl. Senior Civil Judge & Addl.
Motor Accident Claims Tribunal,
Gokak.

: ANNEXURE :

List Of Witnesses Examined For Petitioner/s.

PW-1 : Smt. Renuka W/o. Maruti Hanamannavar

List of exhibited documents marked for Petitioner/s.

Ex.P-1 : C/C of charge sheet
Ex.P-1(a) : Translation copy
Ex.P-2 : Prescriptions
Ex.P-3 : Medicine bills
Ex.P-4 : Hospital bill
Ex.P-5 & 6 : Discharge summary
Ex.P-7 : Death certificate
Ex.P-8 : Surviving family members certificate
Ex.P-9 : Bank statement
Ex.P-10 : City brain report
Ex.P-11 : 53- vegetables bills

Ex.P-12 to 29	:	Attested copies of pan cards, aadhar cards & bank passbooks
Ex.P-30	:	C/C of complaint
Ex.P-31	:	Translation copy
Ex.P32	:	C/C of FIR
Ex.P32(a)	:	Translation copy
Ex.P33	:	C/C of crime detail form
Ex.P33(a)	:	Translation copy
Ex.P34	:	C/C of vehicle seizure panchanama
Ex.P34(a)	:	Translation copy
Ex.P35	:	Inquest panchanama
Ex.P36	:	P.M. report
Ex.P37	:	Death certificate
Ex.P38	:	IMV report
Ex.P39	:	MLC intimation
Ex.P39(a)	:	Translation copy

List of witnesses examined for the Respondent/s:

RW-1 : Gurunath Revansiddappa Kusali

List of exhibited documents marked for the Respondent/s:

Ex.R-1 : Authorization letter

Ex.R-2 : Insurance policy

(Umesh S. Atnure)
Prl. Senior Civil Judge & Addl.
Motor Accident Claims Tribunal,
Gokak.