

ANNEXURE

MOTOR ACCIDENT CLAIM PETITION NO. 205 OF 2018

The parties have made to the satisfaction of this L.A. the compromise for **Rs.2,32,500/-** (Rupees Two Lakhs Thirty Two Thousand and Five Hundred only) The compromise is recorded as per order below Exh.35.

Accordingly, Award be drawn in terms of compromise.

The Opponent Insurance company shall deposit the amount of compensation as per compromise within 30 days from the date of this order.

As per the section 21 of the Legal Service Authority Act 1987 where a compromise or settlement has been arrived at, by a Lok Adalat in case referred on it under sub-section (1) of Sec.20, the court fee paid in such case shall be refunded in the manner provided under the Court Fees Act., 1870 (7 of 1870)

It is provided in the sec.16 of Court Fees Act.1870 that where the court refers the parties to the suit to any one of the mode of settlement of dispute referred to in section 89 of the Code of Civil Procedure, 1908 (5 of 1908), the plaintiff shall be entitled to a certificate from the court authorizing him to receive back from the collector, the full amount of the fee paid in respect of such plaint. Hence, no court fee is require to be deducted in this case and if any court fee is paid the claimant is entitle to get refund the same.

(A) Applicable to case in which amount of compensation is up to Rs.1 lakh :-

on depositing amount the office of this tribunal is hereby directed that the entire amount of settlement including the amount of medical bill be paid by A.C.payee cheque to the applicant/applicants equally after proper identification.

(B) Applicable to cases in which amount compensation is more than 1 lakh :-

On depositing the amount, the office of this Tribunal is hereby directed that, the amount of medical bills of _____--_____ be paid by A/c Payee Cheque and out of remaining amount 50 % amount be deposited in F.D.R in any Nationalized Bank for the period of 5 (Five) years and remaining 50% amount be paid to the applicants equally by Account Payee Cheque after proper identification.

The conditions as regards to the F.D.R. will be made at the time of withdrawal of amount.

Signed and Pronounced in open Court on 13th Day of July, 2019, at Surat.

Date : 13/07/2019

(Mr.Mustaq A. Bhatti)
Motor Accident Claim Tribunal
(Auxi), Surat. UID.GJ01502