

MACP No. 652/2014

ORDER BELOW EXH. 5.

1] The applicants have filed this application under section 140 of M. V. Act claiming interim compensation on account of death of Natraj Babu Perumal, who succumbed to the injuries caused in motor vehicular accident dated 03.09.2014 at about 3.45 p.m. within the jurisdiction of Sangavi police station, which took place in front of Bhawani Collection, Near Talathi Karyalay, Rahatni, Pune.

2] The deceased Natraj was proceeding as a pillion rider alongwith his friend Kalim Mulla on motorcycle bearing registration No. MH-12-HP-5699 from Rahatni Fata towards Pimple Saudagar. The said motorcycle was driven by Kalim. When they reached in front of Bhawani collection, Rahatni, at that time one school bus bearing registration No MH-12-KQ-7200, came in rash and negligent manner and in high speed without observing the traffic rules in the same direction and gave dash. Due to dash he fall down and the rear left side tyre of the bus passed over his head. Due to which he sustained severe head injury. He was immediately shifted to Aundh General hospital, where he succumbed to the injuries before treatment.

3] The applicant No.1 is wife and Nos. 2 and 3 are the minor children and applicant No.4 is mother of the deceased.

4] The opponent No.1 is the owner of the offending vehicle and opponent No. 2 is the insurance company i. e. the insurer of the offending vehicle.

5] The applicants have filed certified copies of FIR, spot panchanama, inquest panchanama, advance death certificate, driving licence of offending vehicle and form comp. AA etc. The documents produced on record by the applicants demonstrates that the deceased succumbed to the injuries sustained in the accident.

6] Hence, the necessary ingredients for the purpose of present application are made out. In the result, the following order is passed.

ORDER

1] Application Exh. 5 is allowed.

2] The opponent nos. 1 and 2 are directed to pay jointly and severally an amount of interim compensation of Rs. 50,000/- (Rupees Fifty Thousand only) to the applicants by issuing separate account payee cheques in equal proportion within a period of one month from the date of award, failing which the amount shall carry interest thereon at the rate of 8 % p.a. from the date of application.

3] Interim award be drawn accordingly.

Pune.

Date : 18.12.2015.

(Jayraj D. Wadane)
Addl. Member, MACT, Pune.

CERTIFICATE

I affirm that the contents of this PDF file judgment are same word to word as per original judgment.

Name of the Steno	:	Shirolkar P.P.
Name of the court	:	J.D.Wadane, District Judge-21 & Addl. Member, MACT, Pune.
Date	:	18.12.2015
Date when presiding officer signed the Judgment	:	18.12.2015
Date when judgment uploaded to PDF file	:	18.12.2015