

KAMD600012262022



**IN THE COURT OF THE PRL. SENIOR CIVIL  
JUDGE AND MACT AT PANDAVAPURA**

Dated this the 21<sup>st</sup> day of January 2026

PRESENT :

**SRI.R.MAHESHA. B.A.L., LL.B.,**  
Prl. Senior Civil Judge & MACT,  
Pandavapura.

**M.V.C.No.1410/2022**

PETITIONERS :

1. Latha W/o Late B.Lokeshkumar,  
Aged about 31 years,

2. Diya Jain D/o Late  
B.Lokeshkumar, Aged about 11  
years,

3. Manthan Jain S/o Late  
B.Lokeshkumar, Aged about 8 years,

P2 and P3 being minors, represented  
by their natural guardian i.e., mother  
petitioner No.1

4. Babulal Katariya S/o late  
Shobhalal, Aged about 71 years,

All are R/o D.No.2411, Police Station road, Pandavapura Town and taluk, Mandya District.

(By Sri.G.B.S., Advocate)

V/s

**RESPONDENTS :**

1. Shivakumara S/o Somanayaka, Aged about 28 years, R/o C.H.3, Koorgalli, Belavadi, Mysuru Taluk, Mandya District.  
(Insurer of M Supra mini Truck BS 4 bearing No.KA-09-D-0541)

2. The Manager, HDFC ERGO General Insurance Company Limited, Maharaja Complex, Opp: Suburb Bus-stand, Nazarbad, Bengaluru – Nilagiri Road, Mysuru.

Policy No.2315204607689200000

Valid from 14.04.2022 to 09.04.2023

(By Sri.SB. for R2 – Advocate, R1-exparte)

**JUDGMENT**

Petition filed by the petitioners, under Section 166 of the Motor Vehicles Act, 1988 claiming compensation of Rs.1,70,00,000/-, with interest at the rate of 24% p.a., for the death of B.Lokeshkumar in the Road Traffic Accident.

**2. The brief facts of petitioners' case are :-**

That, on 09.07.2022 between 8.30 and 9.00 p.m., B.Lokeshkumar was proceeding by riding his Honda Dio scooter bearing Reg.No.KA-11-EH-5245 in front of Bharath petrol bunk on Pandavapura – Mysuru road, at that time the driver of Mahendra Pro Goods vehicle bearing Reg.No.KA-09-D-0541 drove it from opposite direction in rash and negligent manner and dashed to B.Lokeshkumar, due to which he fell down and sustained grievous injuries. Soon after the accident, B.Lokeshkumar was shifted to Pandavapura Government Hospital, then shifted to Manipal Hospital, Mysuru for higher treatment, but he succumbed to injuries. Petitioners spent Rs.5,00,000/- towards transportation of dead body, final rituals of deceased B.Lokeshkumar. Deceased B.Lokeshkumar is husband of 1<sup>st</sup> petitioner, father of petitioner No.2 and 3 and son of petition No. 4. Before accident, deceased B.Lokeshkumar was hale and healthy, he was doing looking gold and silver pawn broker shop and earning Rs.45,000/- per month. Deceased B.Lokeshkumar was looking after entire family affairs and he was the only earning member of the family. Because of death of deceased B.Lokeshkumar, petitioners are suffering with pain and difficulty in leading life and they lost the love and affection of the deceased. Accident occurred due to rash and negligent driving of driver of Mahendra Pro Goods vehicle bearing Reg.No.KA-09-D-0541. 1<sup>st</sup> respondent is the owner and 2<sup>nd</sup> respondent is the insurer of said vehicle. Crime registered against Mahendra Pro Goods vehicle bearing Reg.No.KA-09-D-0541 for the offences punishable under Sections 279 and 304A of Indian Penal Code. Hence, petition.

3. After due service of the notice, respondent No.2 appeared through its Counsel and filed his objection statement. 1<sup>st</sup> respondent not appeared before the court hence he placed exparte.

4. 2<sup>nd</sup> respondent in its objection denied all the averments of petition and contended that the petition is not maintainable either in law or on facts and liable to be dismiss. It's liability for payment compensation is subject to terms and conditions of insurance policy. The alleged accident due to sole negligence of deceased who was riding Honda Dio bearing No.KA-11-EH-5245. The rider of Honda Dio bearing No.KA-11-EH-5245 was not possessing valid and effective driving license as on the date of accident. The alleged accident not occurred due to rash and negligent driving of driver of Mahendra Pro Goods vehicle bearing Reg.No.KA-09-D-0541. Compensation amount claimed by the petitioners is high, exaggerated, arbitrary and speculative. Petition is liable for dismissal for non-compliance of Section 170 of IMV Act and prayed to dismiss the petition.

5. Based on the above pleadings, my predecessors framed the following issues and additional issues:-

1. Whether the petitioners prove that accident in question was occurred on 09.07.2022 between 8.30 and 9.00 p.m., in front of Bharath petrol bunk on Pandavapura – Mysuru road due to rash and negligent driving of the Mahendra Pro Goods vehicle bearing Reg.No.KA-09-D-0541?

2. Whether the petitioners proves that, they are the legal representatives of the deceased Lokesh Kumar.B?
3. Whether the respondent No.2 proves that, the accident in question was occurred due to negligence of the rider of the bike bearing Reg.No.KA-11-EH-5245?
4. Whether the respondent No.2 proves that, driver of the Mahendra Pro Goods vehicle bearing Reg.No.KA-09-D-0541 holds no effective driving license and the vehicle had no fitness certificate?
5. Whether the petitioners is entitled for compensation? If so, what is the compensation and from whom?
6. What order or award?

6. In order to prove the case of petitioners, petitioner No.1 and 4 themselves examined as PW1 and PW2 and relied on 19 documents, which were marked as Ex.P1 to Ex.P19. In order to disprove the petitioners case, the respondents have not examined any witnesses nor adduced any materials.

7. Heard learned Counsels for petitioners and respondent No.2. Perused material on record.

8. Considering oral and documentary evidence relied by both parties and submissions made by learned Counsels, above issues are answered as below;

Issue No.1 : In the Affirmative,

Issue No.2 : In the Affirmative,

Issue No.3 : In the Negative,

Issue No.4 : In the Negative,

Issue No.5 : Partly in the Affirmative,

Issue No.6 : As per final order, for the following :-

### **REASONS**

9. **Issue No.1 to 4:-** Since these issues are interlinked to each other, they are taken together for common discussion to avoid repetition of facts and evidence.

10. Death of B.Lokeshkumar is not disputed. According to the petitioners, deceased B.Lokeshkumar is husband of 1<sup>st</sup> petitioner, father of petitioner No.2 and 3 and son of petitioner No.4. In order to establish their case, petitioner No.1 and 4 themselves examined as PW1 and PW2. PW1 in her examination-in-chief, reiterated all the averments of petition. To establish the relationship, petitioners relied on Ex.P11 to Ex.P19. Ex.P9 to Ex.P16 notarized copies of Aadhar Cards of petitioners, pan cards, bank book. Ex.P9, Ex.P12 to Ex.P14 discloses that deceased B.Lokeshkumar is the husband of petitioner No.1, father of petitioner No.2 and 3, and son of petitioner No.4. The said documents relied by petitioners clearly establish that they are legal representatives of B.Lokeshkumar. Except denial,

nothing placed by 2<sup>nd</sup> respondent and nothing elicited in cross-examination of PW1 and PW2 to disbelieve the versions of PW1 and PW2 with respect to relationship between petitioners and deceased B.Lokeshkumar. The specific contentions of respondent No.2 in his objection that, the rider of Honda Dio bearing No.KA-11-EH-5245 was not holding valid driving licence as on the date of accident and due to negligence on the part of deceased B.Lokeshkumar i.e., rider of Honda Dio bearing No.KA-11-EH-5245 the alleged accident occurred. Except contention taken in his objections nothing has been placed before this Tribunal by respondent No.2 to substantiate his objections contentions. On the other hand, the petitioner has produced Ex.P1, it indicates that, the Investigating Officer of this case has filed final report against driver of Mahendra Pro Goods vehicle bearing Reg.No.KA-09-D-0541 for the alleged offences punishable u/s. 279 and 304(A) of IPC. No action taken against rider of Honda Dio bearing No.KA-11-EH-5245. If Investigating Officer find any contributory negligence from victim he definitely charge-sheeted against rider of Honda Dio bearing No.KA-11-EH-5245. Further it is relevant to note that, respondent No.1 being owner of offending vehicle Mahendra Pro Goods vehicle bearing Reg.No.KA-09-D-0541. He has not objections to main petition.

11. The respondent No.2 has filed his written statement contending that, the vehicle insured with 2<sup>nd</sup> respondent company and said insurance valid from 14.04.2022 till 09.04.2023. He has produced zerox copy of insurance policy pertains to offending vehicle it indicates that, the said policy is in force from 14.04.2022 till 09.04.2023. The Investigating Officer has charge sheeted driver of the Mahendra Pro Goods vehicle bearing

Reg.No.KA-09-D-0541 for the alleged offence punishable u/s. 279 and 304(A) of IPC. The Investigating Officer has not charge-sheeted against deceased B.Lokeshkumar for violation of IMV Act sections or Rules. The respondent No.2 took specific contentions in his written statement that, the alleged accident occurred due to rash and negligent riding of Honda Dio bearing No.KA-11-EH-5245 by its rider (deceased B.Lokeshkumar) and rider of the Honda Dio bearing No.KA-11-EH-5245 had no valid and effective driving licence as on the date of alleged accident. To the contrary, petitioner has produced Ex.P1 and Ex.P2 as already discussed supra, the Investigating Officer has not charge-sheeted against deceased B.Lokeshkumar for violation of IMV Act and Rules and the Investigation Officer has charge-sheeted against accused for the offences punishable u/s. 279 and 304(A) of IPC. So, in the absence of any believable and cogent evidence, it could not possible to accept contentions of respondent No.2. As already discussed, the respondent No.2 has failed to substantiate his written statement contentions by believable documents. Therefore, this Tribunal came to conclusion that, the petitioners have successfully prove Issue No.1 and 2, and respondent No.2 has failed to prove Issue No.3 and 4, hence answered above **Issue No.1 and 2 in the Affirmative and Issue No.3 and 4 in the Negative.**

12. **Issue No.5 :-** To prove the age of deceased, petitioners produced Ex.P6 Post-Mortem report, it shows that, deceased B.Lokeshkumar was aged 38 years. Hence, age of deceased was 38 years as on the date of accident. Petitioners contended that deceased was working in his father pawn broker shop and he earning Rs.45,000/- per month. In support of their contentions, the petitioner No.1 and 4 are examined as PW1 and PW2. PW1 being wife of deceased B.Lokeshkumar



and PW2 being father of deceased B.Lokeshkumar, they consistently deposed before this Tribunal that, prior to this accident, deceased B.Lokeshkumar was hale and healthy and carrying business in pawn shop and he had good cordial relation with customers and he was an expert in making ornaments in gold and silver metals. Therefore, he earning Rs.45,000/- per month. PW2 specifically deposed that, deceased B.Lokeshkumar working under him. He regularly paid monthly salary of Rs.45,000/- to his son. PW2 obtained licence to carry business of pawn broker shop from local authority. Deceased B.Lokeshkumar has literally running the shop, he used to sign on receipts on behalf of his father. Therefore, PW2 requested to consider monthly income of deceased B.Lokeshkumar of Rs.45,000/- per month. Both have been subjected for cross-examination by learned counsel for respondent No.2 at length. During course of cross-examination of PW2 clearly admitted that, “ನಿಮ್ಮ ಮಗ ಗಿರವಿ ಅಂಗಡಿಯಲ್ಲಿ ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದರು ಎಂದು ತೋರಿಸಲು ಅವರ ಹೆಸರಿನಲ್ಲಿ ಆದಾಯ ತೆರಿಗೆ ಪಾವತಿ ಮಾಡಿಲ್ಲ ಹಾಗೂ ಅಂಗಡಿ ಅವರ ಹೆಸರಿನಲ್ಲಿ ಇಲ್ಲ ಎಂದರೆ ಸರಿ. ಆ ಗಿರವಿ ಅಂಗಡಿ ಈಗಲೂ ನಡೆಸುತ್ತಿದ್ದೀರಾ ಎಂದರೆ ಸರಿ. ಆ ಅಂಗಡಿಯನ್ನು ಈಗ ನನ್ನ ಚಿಕ್ಕ ಮಗ ನಡೆಸಿಕೊಂಡು ಹೋಗುತ್ತಿದ್ದಾರೆ. ತಿಂಗಳಿಗೆ ನನ್ನ ಮಗ ರೂ.45 ಸಾವಿರ ಹಣ ಸಂಪಾದಿಸುತ್ತಿದ್ದರು ಎನ್ನುವ ಬಗ್ಗೆ ದಾಖಲೆ ನೀಡಿಲ್ಲ ಎಂದರೆ ಸರಿ.” Further it is elicited in cross-examination of PW1 that, “ನಿಪಿ 16 ಮತ್ತು 18 ನಿಮ್ಮ ಗಂಡನ ತಂದೆಯ ಹೆಸರಿನಲ್ಲಿದೆ ಎಂದರೆ ಸರಿ. ನಿಮ್ಮ ಗಂಡ ಆದಾಯ ತೆರಿಗೆ ಇಲಾಖೆಗೆ ಐ ಟಿ ಆರ್ ಪಾವತಿಸಿಲ್ಲ ಎಂದರೆ ಸರಿ. ” So, these admissions of PW1 and PW2 clearly establishes that, the said pawn broker shop stood in the name of petitioner No.4 (father of deceased B.Lokeshkumar). At present the said shop carrying by petitioner No.4 and his another son. There is no any loss to them due to death of deceased B.Lokeshkumar. But petitioners have not produced any believable and cogent documents to accept the deceased B.Lokeshkumar has earning Rs.45,000/- per month

by assisting his father business. Therefore, this Tribunal declined to accept documents placed by petitioners with regard to income of deceased B.Lokeshkumar. So, in the absence of any material documents, it is just and proper to take income of deceased under Minimum Wages Act.

13. To substantiate this, petitioners have not produced any documents before this Tribunal. In the absence of evidence to show the income of the deceased, the wages be calculated in terms of the minimum Wages Act. It is relevant to refer and relied judgment passed in MFA No.7404/2014 dated 06/12/2022. In this judgment, it is held (at para 33) as follows ;

“33. Coming to the question whether the guidelines issued by the Legal Services Authority can be considered or not, it is pertinent to note that the guidelines, a copy of which is made available to this court, by and large are on the same lines as fixed under the Minimum Wages Act, for settlement of the cases before the Lok Adalath, which is on the basis of the mutual agreement between the parties, shuts down all the approaches for a re-assessment of the compensation by the appellate Court. Considering this aspect, a slightly higher wages have been set down as guidelines and we do not see any reason to have any qualms with the same. However, such guidelines cannot take the place of a statutory guidelines and therefore, we hold that it would be proper to rely on the wages fixed under the Minimum Wages Act and the Tribunal has to consider the

minimum wages prescribed under the Minimum Wages Act, as a guideline and assess whether the deceased was a skilled or unskilled labourer. The range of a highly skilled labourer and unskilled labourer could be considered by the Tribunals, if there is no other proof of income. We hasten to add that the notional income cannot be adopted, with precision, as prescribed under the Minimum Wages Act also, but it acts as beacon only”.

14. In the light of above judgment, the Tribunal is bound to consider the wages as prescribed under minimum Wages Act, in the absence of evidence to prove the actual earnings of the deceased.

15. As per the Notification No.KAE 228 LWA 2018 dated 11.12.2019, fixing the minimum wages and VDA from 01.04.2022 to 31.03.2023. In the instant case, the accident was occurred on 14.07.2022. Hence, the above notification is applicable to the case on hand. In the light of the aforesaid notification and the avocation of the deceased, the minimum wages is fixed/determined at Rs.11,983.16 which is rounded off to Rs.11,983/-.

a) **Deductions** :- As per the ruling reported in AIR 2020 SC 437 in between National Insurance Company limited VS Birendar and others. In this Judgment, the Apex Court held that, even major married and earning sons of deceased - Would be covered by expression 'legal representative' of deceased- Tribunal has bounden duty to consider their application

irrespective of fact that whether they are fully dependent on the deceased and not to limit their claim towards conventional head only.

16. The deceased has left behind four dependents. Therefore, as per the principles laid down in Sarla Varma's Case, 1/4th of his annual income will have to be deducted towards personal and living expenses of the deceased and remaining 3/4th income will have to be considered as his annual contribution towards his family. In the instant case, 1/4th of Rs. 11,983/- would come to Rs.2,996/- and remaining 3/4th comes to Rs.8,987/-. The same is considered as his monthly contribution towards his family.

**c) Addition:** As per post-mortem report, the age of deceased is 38 years. The accident was occurred on 09.07.2022. As on the date of the accident, the deceased was aged about 38 years. In the light of principles laid down in Sarla Varma's case, the appropriate multiplier is 15. In the light of principles laid down in National Insurance Company Ltd. Vs. Pranaya Seti and Others by the Apex Court in Special Leave Petition (Civil No.25590/2014 dtd: 31.10.2017), it is relevant to note that, as per Sarla Varma, the Court has made it as a rule that 40% of actual salary could be added if the deceased had a permanent job and if the age of the deceased is below 40, 40% of the income added to his actual income. In the present case as per Ex.P6, deceased age at the time of alleged accident is 38 years. **Thereby, the monthly income of the deceased amounts to Rs.8,987/-. The annual income amounts to Rs.8,987 + 40% X 12 X 15 = Rs.6,56,051/-.** The same is awarded under this head as a just and reasonable compensation.

**17. Towards loss of consortium and love and affection:-** The petitioner No.1 is the wife of the deceased. She is now aged about 31 years. As a result of accident she lost her life partner. The love and affection of a husband cannot be compensated in terms of money. Husband is such a wonderful person, who stands as a backbone throughout the life. It is very hard for a housewife to lead life in the absence of husband. Petitioner No.1 is entitled for the compensation under the head of spousal consortium. Petitioner No.2 and 3 are children of deceased B.Lokeshkumar have lost their father and petitioner No.4 was the father of deceased B.Lokeshkumar has lost his son. A father is a source of strength, spirit, energy booster etc., He is a good friend too. Hence, petitioner No.2 to 4 are entitled for the compensation under the head of parental consortium. In the light of principles laid down in Magma General Insurance Co. Ltd., Vs. Nanu Ram @ Chuhruram and others reported in 2018(18) SCC 130 and the judgment passed in MFA No.6878/2015 C/W MFA No.9282/2015 dated 25/01/2023 on the file of Hon'ble High court of Karnataka, Bengaluru, a sum of **Rs.40,000/-** each with escalation at **10% which comes to Rs.52,000/- X 4 = Rs.2,08,000/-** is awarded.

**18. Towards Transport and funeral expenses :** - The postmortem of the deceased was conducted at Mysuru Medical College and Research Institute, Mysuru. The petitioners are resident of Pandavapura Town. Under such circumstances there will be some expenses towards transportation of the dead body. Petitioners have claimed Rs.5,00,000/- towards transportation of the dead body and for funeral expenses, but placed no documents in support. The expenses towards funeral ceremony cannot be ruled out. Hence, I award a sum of Rs.15,000/- with escalation

at **10% which comes to Rs.19,500/-**, which is awarded towards transportation and funeral expenses.

**19. Towards loss of estate** : Considering the minimum wage of the deceased, it can be inferred that, if he would have alive and must have acquired some estate. Petitioners have lost this estate as a result of fatal accident. In the light of principles laid down in National Insurance Company Ltd., Vs. Pranaya Seti and Others by the Apex Court in Special Leave Petition (Civil) No.25590/2014 dtd: 31.10.2017. Hence, a sum of **Rs.15,000/-** with escalation at **10% which comes to Rs.19,500/-** which is awarded under this head as just and reasonable.

**20.** Thus, petitioners can be awarded the compensation amount under the following heads as follows:

|   |                                                         |       |                       |
|---|---------------------------------------------------------|-------|-----------------------|
| 1 | Loss of dependency                                      | :     | Rs. 6,56,051/-        |
| 2 | Towards loss of spousal, filial and parental consortium | :     | Rs. 2,08,000/-        |
| 3 | Towards transportation and funeral expenses             | :     | Rs. 19,500/-          |
| 4 | Towards loss of estate                                  | :     | Rs. 19,500/-          |
|   |                                                         | Total | Rs. <b>9,03,051/-</b> |

**21.** Petitioners are awarded total compensation of **Rs.9,03,051/-** along with costs of the petition and interest at the rate of 6% PA from the date of petition till realization. In the light of relationship with the deceased, the petitioner No.1 to 4 are entitled to compensation in the ratio of

**25:25:25:25** respectively. The respondent No.2 is held liable to indemnify the petitioners. Accordingly, I answer the above issues in the **Partly Affirmative**.

**22. Issue No.7:-** In view of the above discussion on Issue No.1 to 6, I proceed to pass the following;

### **O R D E R**

The claim petition filed by the petitioners U/Sec.166 of Motor Vehicle Act, 1988 is allowed in part with costs.

The petitioners are entitled for total compensation of **Rs.9,03,051/- (Rupees Nine Lakhs Three Thousand Fifty One Only)** along with interest at the rate of 6% PA from the date of petition till its realization.

The respondent No.2 is liable to pay the compensation and shall deposit the same within two months from the date of award. On deposit, petitioner No.1 to 4 are entitled in the ratio of 25:25:25:25 respectively. On deposit the entire compensation awarded in favour of petitioner No. 1 and 4 shall be released in their favour through e-payment on proper identification and on proper acknowledgment. In the event of failure to pay the said amount within the stipulated period, the

entire compensation amount shall carry enhanced interest at the rate of 9% per annum from the date of default till its actual realization. In view of quantum of the amount awarded, the respondent No.2 shall transfer compensation amount to the bank of petitioner No.1 and 4 together with interest.

Petitioners shall submit affidavit furnishing their Nationalized bank account details with IFSC along with canceled cheque having petitioners names within 30 days from today. Petitioners shall also submit copy of bank account of passbook, adhar card and pancard. The counsel for petitioners shall verify the authenticity of the details and submit the same to the office along with memo.

Pending clerk and CMO shall verify and endorse the correctness of the bank details in the order-sheet to enable drawing of the award.

Office to include all the above details of petitioners and draw award after receipt of memo from the counsel for petitioners.

The respondent No.2 shall transfer the award amount to the petitioners bank account



specified in the award under intimation to this Tribunal.

Failure to furnish the aforesaid details within 30 days shall dis-entitle the petitioners to interest until such compliance.

Further ordered that, compensation amount of petitioner No.2 and 3 shall kept in FD in the name of petitioner No.1 in any Nationalized Bank of their natural guardian choice till they attain age of majority with liberty to draw interest periodically.

Advocate fee is fixed at Rs.1,000/-.

Office is hereby directed to draw award accordingly.

(Typed by Stenographer in the Court computer on my direct dictation, printout taken, corrected and then pronounced by me in the open Court on this the **21<sup>st</sup> January 2026**)

**(R.MAHESHA)**  
Prl. Senior Civil Judge & MACT,  
Pandavapura.

**ANNEXURE****List of witnesses examined for the petitioners :-**

PW1 : Latha  
PW2 : Babular Kataria

**List of documents marked for the petitioners :-**

Ex.P1 : Certified copy of FIR  
Ex.P2 : Certified Copy of Complaint  
Ex.P3 : Certified Copy of Spot Mahazar  
Ex.P4 : Certified Copy of Sketch  
Ex.P5 : Certified Copy of Inquest Mahazar  
Ex.P6 : Certified Copy of Postmortem Report  
Ex.P7 : Certified copy of IMV Report  
Ex.P8 : Copy of Charge sheet  
Ex.P9 : Notarized copy of Aadhar Card of petitioner No.1  
Ex.P10 : Notarized copy of Pan Card of petitioner No.4  
Ex.P11 : Notarized copy of bank statement of petitioner No.1  
Ex.P12 : Notarized copy of Aadhar Card of petitioner No.2  
Ex.P13 : Notarized copy of Aadhar Card of petitioner No.3  
Ex.P14 : Notarized copy of Aadhar Card of petitioner No.4  
Ex.P15 : Notarized copy of bank statement of petitioner No.4  
Ex.P16 : Notarized copy of bank statement of petitioner No.4  
Ex.P17 : Notarized copy of business receipts of petitioner No.4  
Ex.P18 : Copy of income tax return for the year 2019-20 of  
petitioner No.4  
Ex.P19 : Copy of income tax return for the year 2021-22 of  
petitioner No.4

**List of witnesses examined for the respondents :-**

NIL

**List of documents marked for the respondents :-**

NIL

**(R.MAHESHA)**

Prl. Senior Civil Judge & MACT,  
Pandavapura.

Peruse entire case papers for prepare judgment, it indicates that, Issue No.1 wrongly framed by this Tribunal earlier, therefore it needs to correct, hence Issue No.1 deleted/striking out. Consequently, proper and correct issue No.1 framed for pronouncement of judgment at 5.30 p.m.

Prl. Sr. Civil Judge & MACT,  
Pandavapura.

Judgment pronounced in open court  
(vide separate Judgment)

### **O R D E R**

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Pending clerk and CMO shall verify and endorse the correctness of the bank details in the order-sheet to enable drawing of the award.

Office to include all the above details of petitioners and draw award after receipt of memo from the counsel for petitioners.

The respondent No.2 shall transfer the award amount to the petitioners bank account specified in the award under intimation to this Tribunal.

Failure to furnish the aforesaid details within 30 days shall dis-entitle the petitioners to interest until such compliance.

Further ordered that, compensation amount of petitioner No.2 and 3 shall kept in FD in the name of petitioner No.1 in any Nationalized Bank of their natural guardian choice till they attain age of majority with liberty to draw interest periodically.

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