

M.A.C.P. No. 1/2016,

Ganesh Badrinath Pawar Vs. Kishor Mandalkar.

Order below Exh.5.

(Dated : 18-06-2016)

1. Applicant, who sustained permanent disablement in vehicular accident dated 16-04-2015, has claimed no fault liability amount. According to applicant, on 16-04-2015 he was going towards Sawana from Buldana by riding motor cycle bearing registration No. MH-28-G-3195. When he reached near Kelwad shiwar on Buldana - Chikhli road, all of a sudden one unknown vehicle was coming from opposite direction having on head lights. Because of which a truck bearing registration No. MH-28-B- 8946, which was standing on road, was not seen by the applicant and collided with the said truck. As a result of which, the accident took place, in which he sustained injuries and suffered permanent disability.
2. According to applicant, opponent is the owner of offending vehicle.
3. Claim is proceeded without written statement of the opponent.
4. Applicant has filed on record copy of F.I.R., Crime Details Form, Final Report Form, Goods Carriage Permit, driving licence of accused, Form Comp A.A., discharge card and discharge summary along with List - Exh.4.
5. Heard Mr. S.J. Deshmukh, learned counsel for applicant.
6. It appears from the F.I.R. that offence was registered against the

driver of offending vehicle i.e. truck. It also appears from the discharge card of Citicare Super Speciality Hospital that the applicant has sustained fracture of radius right and left. It also appears that the offending vehicle is owned by the opponent. Hence, there is no reason to deny the interim compensation to the applicant. Hence following order :

ORDER

1. Application is allowed.
2. Opponent do pay 'No Fault Liability' amount of Rs.25,000/- (Rs. Twenty five thousands only) within one month from the date of this order, failing which, the amount will carry interest @ Rs.8 % per annum from the date of default till full realization of the amount.
3. On deposit of amount, Tribunal shall disburse entire amount to applicant by issuing separate account payee cheque in his name.
4. Pre-award be drawn accordingly.

Sd/-

(**Virendra G. Bisht**)

Member,

M.A.C.T., Buldana.

Dated : 18-06-2016.

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Certificate

“I affirm that, the contents of this PDF file order are same word for word, as per original order.”

Name of Steno :- D.V. Gaiki,

Name of Court :- Member, Motor Accident Claims Tribunal, Buldana.

Date of order :- 18-06-2016.

Order uploaded on :- 20-06-2016.

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