

M.A.C.P. No. 197/2018,

Pratik Deepak Chaudhari

Vs.

Ratan Jiwardas Bhalerao + 1

(CNR : MHBU010015432018)

Order below Exh.5.

(Passed on 19.6.2019)

1] This is application by injured-claimant for claiming N.F.L. compensation Rs.25,000/- under Section 140 of M.V. Act.

2] The accident took place on 17.3.2017. The claimant was going on motorcycle no.MH-28-AD-3534 along with one Srikant. At the place of accident on Buldana Dhad road, near village Dudha, one Tavera vehicle bearing no. MH-20-BN-9320 coming from opposite side in rash and negligent manner with excessive speed on wrong side of road dashed to the motorcycle of claimant and claimant sustained grievous injuries. Claimant sustained permanent disability.

3] The opponents filed the written statement Exh13. It is the submission that only on suspicion the vehicle of opponents was involved. The claimant was driving his vehicle in high and excessive speed, without seeing the condition of road, without following the traffic rules and he himself caused the accident.

4] The F.I.R. was registered against the driver of Tavera vehicle. The discharge card of Bhaote Accident Hospital, disclose that claimant-injured was hospitalized. The history was of road traffic accident. Permanent disability certificate shows fracture tibia left, resulting into 25% permanent disability. Prima-facie involvement of Tavera vehicle and permanent disability caused to the claimant in that accident are seen.

Hence, the claimant is entitled to N.F.L compensation Rs.25,000/-. Hence, the order.

Order

1. Application is allowed.
2. Claimant is entitled for N.F.L. compensation Rs.25,000/- (Rs. Twenty Five thousand).
3. Opponent Nos.1 and 2 jointly and severally shall pay N.F.L. compensation Rs.25,000/- (Rs. Twenty Five thousand) to the claimant within forty five days, otherwise opponent Nos.1 and 2 shall pay further interest @ Rs.7.5 % per annum, from the date of order till realization of the amount.
4. On deposit of compensation amount, it be paid to claimant by way of cheque.

Buldana
Dated : 19.6.2019.

Sd/-
(Mahendra K. Mahajan)
Member, M.A.C.T., Buldana.

Certificate

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

Name of Steno : V.D.Deulgaonkar.
Name of Court : M.A.C.T., Buldana