

MHLA010022592015



Received on :- 02/09/2015
Registered on :- 02/09/2015
Decided on :- 13/03/2026
Duration :- 10Y06M11D

**IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE AND
CHAIRMAN OF THE MOTOR ACCIDENT CLAIMS
TRIBUNAL AT LATUR.**

(Presided over by Shri. S.J. Bharuka)

M.A.C.P. NO. 202/2015

Exh.No. 92

1. Meenabai Yuvraj Vihire,
Age-45 yrs, Occu. H.H.,
2. Raviraj Yuvraj Vihire,
Age-26 yrs, Occu. Labour,
3. Kiran Yuvraj Vihire,
Age- 23 yrs, Occu. Nil,
All R/o. Kulswamini Nagar, Latur

...Claimants

Versus

**Prem Singh Anantsing @ Anandsingh Rajput (Died),
(Owner of Motorcycle No. MH-33-E-9861)**

Legal representatives :

- 1/1 Mamta Prem Singh Rajput,
Age-46 yrs, Occu. H.H.,
- 1/2 Pragati Prem Singh Rajput,
Age- 19 yrs, Occu. Education,
- 1/3 Prajwal Prem Singh Rajput,
Age- 18 yrs, Occu. Education,
All R/o. Police Quarter, M.I.D.C. Police
Station, Latur.

...Respondent.

Shri. S.K.Patel :- Advocate for the Claimants.
Shri. M.V.Madge :- Advocate for the Respondents

J U D G M E N T
(Delivered on 13/03/2026)

01. This claim petition filed under section 166 of the Motor Vehicle Act for grant of compensation of Rs. 08,05,009/- on account of accidental death of Yuvraj Laxmanrao Vihire, R/o. Latur on 07/05/2015.

02. During pendency of claim petition, respondent Preamsingh Anantsing @ Anandsingh Rajput died on 28/08/2022, hence claim petition is amended as per the provisions and legal representatives of Preamsingh came to be brought on record, as respondent nos. 1/1 to 1/3. To avoid any confusion and for the sake of convenience 'Preamsingh' is referred as 'respondent', wherever it is necessary in the judgment

03. In brief, the claimants case is that, claimant no. 1 is the widow, claimant nos. 2 & 3 are the sons of Yuvraj Laxmanrao Vihire. On 26/04/2015, Yuvraj (deceased) alongwith his wife, on his Moped (Luna) bearing registration no. MH24-AE-6932, was proceeding towards MIDC side from 1 No. Chowk, in moderate speed, from left side, when they reached near Maharashtra Rajya Wakhar Mahamandal, Latur, at that time, one motorcycle bearing registration no. MH 33-E-9861 riding by respondent Preamsingh came from opposite direction, in high speed and gave dash to the motorcycle of Yuvraj, in which Yuvraj sustained grievous injuries

on various parts of his body, who immediately shifted to Ashwini Hospital, Latur, where he treated from 26/04/2015 to 07/05/2015 and then he expired.

04. It is further contended in the claim petition that, claimant no. 1 filed complaint in M.I.D.C. Police Station, Latur and offence came to be registered vide Crime No. 93/2015 against respondent Premsingh, who is rider of offending motorcycle, for the offences punishable under Sections 279, 337, 338 of the Indian Penal Code and Sec. 184 of the Motor Vehicles Act.

05. Claimants further contended that at the time of accident, age of Yuvraj was 50 years, he used to do laundry work and used to get monthly income of Rs. 10,000/-, claimants have been deprived from the future source of maintenance because of untimely death of Yuvraj, claimants were dependent on his income, and hence claimants pray for compensation under various heads. It is contended that respondent Premsingh was the owner and driver of the offending motorcycle, hence, he is liable to pay compensation to the claimants.

06. Respondents filed written statement below Exh. 25 and (after amendment in the claimant petition Exh. 63) and denied happening of the accident, expenditure on the treatment, negligence on his part, age, income of Yuvraj and dependency of the claimants on his income. It is submission of respondents that on the day of accident, he alongwith his wife proceeded on his motor-cycle, at the spot of incident, Yuvraj (deceased) came from wrong side on Moped and gave dash to his motor-cycle, due to

which they fell down and injured, therefore, he lodged report in the M.I.D.C. Police Station and offence came to be registered vide Crime No. 94/2015 against the Yuvraj (deceased), who was riding his Moped -Luna bearing no. MH24-AE-6932 for the offences punishable under Sections 279, 337, 338, 427 of the Indian Penal Code. The police prepared spot panchanama, which shows that deceased by coming on wrong side, gave dash to his motor-cycle and the accident took place, therefore, he is not liable to pay any compensation to the claimants, as the Yuvraj (deceased) solely liable for the accident.

07. It is the contention of respondent that the claimants falsely involved his motor-cycle with a view to grab the money from him as a compensation, there is no nexus of respondent with the present accident, hence he is not responsible for the accident and lastly prayed for dismissal of the claim petition.

08. From the rival pleadings and documents on record, my learned predecessor has framed issues at Exh. 31. I have reproduced the same and I have given my findings thereon for the reasons as stated below :

S.N	Issues	Findings
1)	Whether claimants prove that Yuvraj Vihire died in an accident, which occurred on 26/04/2015, near Maharashtra Rajya Wakhar Mahamandal, MIDC road, Latur, due to rash and negligent riding of the motor-cycle bearing no. MH 33-E-9861 by the respondent?	In the affirmative, but there is contributory negligence to the extent of 20% on the part of Yuvraj Vihire (deceased)

S.N	Issues	Findings
2)	Whether claimants are entitled for compensation? If yes, to what extent and from whom ?	In the Affirmative, as per final order.
3)	What order ?	As per final order.

REASONS

As to issue No.1 :

09. On perusal of record it appears that, it is the case of claimants that accident occurred due to the fault of respondent Premsingh and to substantiate the said contention, claimants examined Claimant No.1 Meenabai Vihire (CW-1) and Kishor Yashwant (C.W.2) and placed reliance on the documents received from police. Whereas, it is the case of respondent that accident occurred due to the fault of Yuvraj (deceased) and to substantiate said contention respondents examined Mamata Rajput (R.W.1) and Somnath Kale (R.W.2) and placed reliance on some documents.

10. In view of above scenario, it appears that both the parties have not disputed the fact that Yuvraj Vihire (deceased) was riding his Moped (Luna) bearing registration no. MH24-AE-6932, whereas respondent Premsingh was riding his motor-cycle bearing registration no. MH33-E-9861 and accident occurred on the relevant date and time, on the spot, shown in the spot panchanama (Exh. 36). Now let us see, as to what evidence has come on record to prove the negligence from both the parties and whether it is a case of contributory negligence. First, I discuss and

appreciate evidence of the claimants and their witnesses.

11. Claimant No.1 Meenabai Vihire (CW-1), who is widow of Yuvraj Vihire (deceased) filed her evidence on affidavit at Exh.27, in which, she deposed the facts as per their claim. According to her, on 26/04/2015, Yuvraj (deceased) alongwith his wife, on his Moped (Luna) bearing registration no. MH24-AE-6932, was proceeding towards MIDC side from 1 No. Chowk, in moderate speed, from left side, when they reached near Maharashtra Rajya Wakhar Mahamandal, Latur, at that time, one motorcycle bearing registration no. MH 33-E-9861 riding by respondent Premsingh came from opposite direction, in high speed and gave dash to the motorcycle of Yuvraj, in which Yuvraj sustained grievous injuries.

12. In the cross-examination she denied the suggestions that at the time of accident, they were travelling from M.I.D.C. to 1 no. Chowk towards Kulswamini Nagar, whereas offending vehicle was travelling from 1 no. Chowk to M.I.D.C., her husband went towards right side and dashed with the vehicle coming from opposite direction.

13. Claimants have examined one Kishor Yashwant (C.W.2), citing him as eye witness to the accident. Crux of his evidence on the point of accident is that, on 26/05/2015 at about 7.00 p.m. he was proceeding on his motor-cycle from 1 No. Chowk to M.I.D.C., at that time Yuvraj alongwith one lady proceeding on his Luna (Moped), when they reached near the building of

Maharashtra Rajya Wakhar Mahamandal, Latur, at that time, one motorcycle bearing registration no. MH 33-E-9861 came from M.I.D.C. side, said rider went to the wrong side and gave dash to the Moped of Yuvraj, due to which Yuvraj sustained injuries, he alongwith other persons helped Yuvraj to send him in the hospital, at that time he saw registration numbers of both the vehicles, accident occurred due to the negligence of rider of motor-cycle bearing registration no. MH 33-E-9861 and he has eye witness to the said accident. Lateron, he came to know that name of the injured was Yuvraj Vihire and he died while taking treatment.

14. In the cross examination, it has come on record that distance between spot of accident and police station is half kilometer, he has not filed any report in the police station about the said accident, he does not know the riders of both the motor-cycle and persons who were gathered on the spot, at the time of accident, claimant no. 1 is not his relative. He denied the suggestions that both the vehicles, involved in the accident, were proceeding towards M.I.D.C.

15. It is the contention of respondents that, accident occurred due to negligence of Yuvraj (deceased) and to substantiate said contention, respondent has examined Mamta Rajput (R.W.1) who is the widow of original respondent Premsingh.

16. Crux of the evidence of Mamata Rajput (R.W.1) is that she herself, her husband and son were proceeding on motor-cycle

bearing registration No. MH-33/E-9861 in moderate speed, from 1 No. Chowk to Aroma hotel, when they reached near Maharashtra State Warehouse Corporation, at that time Yuvraj (deceased) came on his Moped towards Aroma hotel, from opposite side in rash and negligent manner and gave dash to them, in which she herself and her husband sustained grievous injuries, people gathered on the spot sent them to the hospital, thereafter her husband lodged report in M.I.D.C. Police Station, Latur vide Crime No. 94/2015, said accident took place due to the rash and negligent riding of Yuvraj and he was solely responsible for the said accident.

17. In cross-examination she admits that her husband was police head constable posted in MIDC Police Station, Latur, offence came to be registered against him in said police station in respect of present accident, charge-sheet came to be filed against him, they have not filed any writ petition for quashing out the said charge-sheet, they have not filed any medical papers on record, showing that she, her husband and son sustained injuries and they took treatment in the hospital, accident took place on a road, which goes from north to south. She denied the suggestions that at the time of accident they were proceeding from Hotel Aroma to 1 No. Chowk and accident occurred due to the negligence of her husband Premsingh.

18. Respondents examined Somnath Kale (R.W.2), showing him as an eye witness to the accident. Crux of his evidence is that, at the relevant date and time of the accident, he

was going from the spot of incident on his bicycle, motor-cycle of respondent Premsingh was proceeding in front of his cycle, at that time one old person, came on his Luna (Moped) in rash and negligent manner from wrong side and gave dash to the motor-cycle, due to said dash, rider and pillion rider fell down and sustained injuries, injured persons were sent to the hospital by himself and the persons gathered on the spot, said accident occurred due to fault of Yuvraj, who was riding his Luna (Moped) in rash and negligent manner.

19. In cross-examination he admits that distance between MIDC Police Station, Latur and place of accident is about 1 to 1.5 kilometer, he has not lodged report about the accident in the police station and today first time he has deposed in the Court about the occurrence of accident, Mamta Rajput told him to give evidence. He denied the suggestion that Mamta Rajput is his relative and to help her he has deposed falsely.

20. Record indicates that crime no. 93/2015 came to be registered on the complaint filed by Meenabai, whereas Crime No. 94/2015 came to be registered on the complaint filed by respondent Premsingh Rajput. So, record indicates that two offences came to be registered in respect of said accident, however, only one spot panchanama came to be prepared in both the crimes. After perusal of hand sketch map, it appears that accident occurred on the left side of road, which goes towards M.I.D.C. from 1 No. Chowk.

21. It appears that claimants have filed copy of FIR (Exh.35) in crime no. 93/2015 and spot panchanama (Exh.36) on record. On perusal of said FIR, it appears that accident occurred on 26/04/2015 in which Yuvraj sustained multiple injuries and on the next day of the accident, crime no. 93/2015 came to be registered against the respondent Premsingh, who was the rider of the motor-cycle bearing registration no. MH33-E-9861. Likewise Crime No. 94/2015 came to be registered against Yuvraj Vihire on the report given by respondent Premsingh Rajput.

22. Learned advocate for claimants submits that though crime no. 94/2015 came to be registered against Yuvraj (deceased), but no charge-sheet came to be filed against him in respect of said accident, respondent Premsingh was police constable and at the time of accident, he was posted in M.I.D.C. Police Station itself, where crime came to be registered, to save himself from the criminal prosecution and any liability, he filed false complaint against Yuvraj.

23. It is true that in crime no. 94/2015, no charge-sheet came to be filed, but fact remains that Yuvraj Vihire died on 08/05/2015, hence investigation must have been stopped. This Tribunal cannot draw any inference that false crime came to be registered by respondent Premsingh against Yuvraj, as he was working in the MIDC Police Station as Head Constable. Admittedly, claimants have not made any complaint to any superior authority against respondent Premsingh that by misusing of his post, he filed false complaint against Yuvraj.

24. To arrive at any conclusion as to who is at fault for the said accident, it was necessary on the part of Meenabai to mention in the FIR (Exh. 35) that from where or in which direction they were proceeding, but surprisingly said material fact is not mentioned. Whereas, in the oral report (Exh. 89) lodged by respondent Preamsingh, it reflects that there is reference that he was proceeding with his wife Mamta & son on Hero-honda motorcycle from 1 No. Chowk to M.I.D.C. In the evidence of claimants side, though attempt was made to bring on record that they were proceeding from 1 No. Chowk to M.I.D.C., but similar version has come on record in the evidence of respondent side. So, it appears that it is statement against statement and oath against oath. In this backdrop, it is quite difficult to ascertain who was proceeding from 1 No. Chowk to M.I.D.C.

25. It has come on record that Yuvraj was old aged person, who was proceeding alongwith his wife on Luna (Moped), whereas, respondent Preamsingh was proceeding on motor-cycle, who is police constable by profession. This Tribunal can take judicial note that power of Moped engine vehicle is comparatively very less than motor-cycle engine. Considering the age of Yuvraj and nature of his vehicle, it appears that it was not possible for him to ride his vehicle in rash and negligent manner. However, considering the nature of the vehicle of respondent Preamsingh and his job as police head constable, it was possible for him to ride his vehicle in rash and negligent manner.

26. Though, it is the version of Mamta Rajput (R.W.1) that she herself, her husband Premsingh and her son sustained injuries and they took treatment, but no document came to be filed on record to that effect. Whereas, P.M. Report of Yuvraj indicates that he had sustained severe injuries in the said accident and he died while taking treatment. So, there is corroboration to the version of Meenabai (C.W.1) that Yuvraj sustained multiple injuries in the said accident. The nature of injuries, sustained to Yuvraj, sufficient to draw an inference that, it was the respondent Premsingh, who was riding his motor-cycle in rash and negligent manner and he gave dash to the Luna (Moped) of Yuvraj.

27. Learned advocate for respondent submits that aspect of negligence is an important factor, while considering the claim petition under section 166 of the M.V. Act, in the present case, Yuvraj Vihire himself negligent and hence, claimants being the legal heirs of him, are not entitled for any compensation. To substantiate his contention, he placed his reliance in the case of **G. Nagarathna Vs. G. Manjunatha** in **M.F.A. No. 2850/2017, Karnataka High Court, decided on 23/11/2024.**

28. On perusal of said judgment, it appears that accident occurred due to the rash and negligent driving of the deceased himself and hence, the Hon'ble Karnataka High Court held that, deceased himself was '*tort-feasor*' his legal heirs are not entitled for any compensation. In the present case, accident was not occurred due to rash and negligent driving of Yuvraj Vihire (deceased) alone, facts of the present case are altogether different

that the facts of the judgment cited supra. Hence, said judgment is not helpful in the present case.

29. On perusal of judgment of **Ramshri Anuragi and others Vs. Santram Pandey and others in Misc. Appeal No. 4920/2022, decided on 15/10/2025**, it appears that in the said judgment also deceased was tort-feasor, which is not the facts of the present case. Hence, this judgment is not helpful in the present case.

30. It is useful to see the judgment of **Ranjeet Vs. Abdul Kayam in Civil Appeal arising out of SLP (C) No. 10351/2019, dated 25/02/2025**, in which the Hon'ble Supreme Court observed that, once a chargesheet has been filed and the driver has been held negligent, no further evidence is required to prove that the bus was being negligently driven by the bus driver. Even if the eye witnesses are not examined, that will not be fatal to prove the death of the deceased due to negligence of the bus driver.

31. On careful evaluation of evidence and documents on record and considering the observations made by the Hon'ble Supreme Court in the case of **Ranjeet Vs. Abdul Kayam** (cited supra), this Tribunal comes to the conclusion that on 26/04/2015 accident occurred due to rash and negligent driving of respondent **Prem Singh**, but **Yuvraj Vihire** also somewhat responsible for the said accident. Hence, it is the case of contributory negligence.

32. Considering the facts and circumstances, particularly, nature of vehicle of **Yuvraj Vihire**, this Tribunal comes to the

conclusion that there is contributory negligence to the extent of 20 % on the part of Yuvraj Vihire. Hence, I answer issue Nos. 1 in affirmative, but there is contributory negligence to the extent of 20% on the part of Yuvraj Vihire (deceased).

As to issue No.2 :-

33. It has come on record in the evidence of Meenabai (CW-1) that after the accident Yuvraj was admitted in Ashwini Hospital, Latur from 26/04/2015 till 07/05/2015 for treatment and during the said treatment he died and they incurred Rs. 3,00,000/- on the treatment of medicines and of hospital charges. On perusal of record it appears that, claimants have filed on record hospital and medical bills of Rs. 2,10,000/- and the claimants have examined Vikas Swami (C.W. 3) and Ravikumar Ingale (C.W. 4) to prove hospital bill and chemist bills.

34. Crux of evidence of Vikas Swami (C.W. 3) is that he works as a billing in-charge in Ashwini Hospital, Latur, where Yuvraj (deceased) was admitted and treated from 26/04/2015 to 07/05/2015, hospital issued bill of Rs. 64,000/- towards hospital charges, which came to be paid. This witness proved the hospital bill (Exh.47) and nothing has come on record to disbelieve his version.

35. Crux of evidence of Ravikumar Ingale (C.W.4) is that, he is the proprietor of Shrinath Medical Shop, Latur, relatives of Chowkent Yuvraj purchased medicines from his shop time to time, he issued medical receipts amounting of Rs. 1,46,589/-. This

witness proved chemist receipts, which are collectively marked Exh. 49 and nothing has come on record to disbelieve his version. Thus, total of hospital and chemist bills comes to Rs. 2,10,589/- (64000/- + 1,46,589/-), said amount is rounded as Rs. 2,10,600/- and the claimants are entitled for the said amount.

36. As far as age of Yuvraj (deceased) is concerned, though Meenabai (CW-1) deposed that age of Yuvraj was about 50 years at the time of his death, but she could not file any documentary evidence to that effect. In post-mortem report (Exh. 37) age of Yuvraj (deceased) is mentioned as 50 years. Nothing has come on record to show that age of Yuvraj was more than 50 years at the time of accident. Hence, I consider that age of Yuvraj was 50 years at the time of his death. In view of ratio laid down in **Sarla Varma Vs. Delhi Transport Corporation (2009) 6 SCC 121**, proper multiplier for the age group between 45 to 50 years is '13'. Hence, in the present case multiplier of '13' is applicable.

37. It is the case of claimants that, Yuvraj used to do work of ironing the clothes and he used to get monthly income of Rs. 10,000/-. But admittedly, the claimants have not filed any documentary proof to show monthly income of Yuvraj (deceased). The learned advocate for the claimants submit that in the absence of evidence of monthly income, in Maharashtra Minimum Wages Act for the period 01/01/2015 to 30/06/2015, for the laundry work, in small cities is considered Rs. 9188/- and hence said

amount may kindly be considered as his notional income.

38. In the cross-examination Meenabai (C.W.1) admits that there was no shop available, where Yuvraj used to do ironing to the clothes. Nothing has come on record that he was skilled labour in the work of ironing. It is true that as per Minimum Wages Act, for the relevant period for the work of laundry, amount of Rs. 9188/- is mentioned. It is pertinent to note that laundry work is altogether different than the ironing the clothes. Hence, said guidelines cannot be considered in the present matter.

39. Moreover, it is the initial duty of claimants to prove the income of deceased, by leading some evidence and mere bare words are not sufficient. If, there is an idle person, who earns very less, due to his laziness or unskilled working style, then he cannot take benefit of Minimum Wages Act, saying that he is entitled for the said amount. It is pertinent to note that in given circumstances, claimants fail to provide income proof for justified reason, then one can take help of the Minimum Wages Act to assess the income of said person. It is settled principle of law that compensation amount should be 'just and fair' and it should not bonanza.

40. Considering the nature of work of ironing and considering the period of accident i.e. in the year 2015, it would be appropriate to consider his income of Rs. 6000/- per month. Accordingly, I consider amount of Rs. 6000/- as monthly income of Yuvraj (deceased) by way of his notional income. Thus, his

annual income comes Rs. 72,000/- (i.e. 6,000/- x 12).

41. In the case of **National Insurance Company Ltd. Vs. Pranay Sethi, 2017 (4) TAC 673 SC**, Hon'ble Supreme Court has given the guidelines as to how to consider future prospects considering the age of deceased and his nature of job. Learned advocate for respondent submits that in the present case accident occurred in the year 2015, whereas judgment of Pranay Sethi has come in the year 2017, and hence, claimants are not entitled any amount towards future prospects.

42. In view of above submission, it is useful to see the judgment of **Ranjeet Vs. Abdul Kayam** (cited supra) in which accident was occurred in the year 2006, whereas the Hon'ble Apex Court delivered judgment in the year 2025 by granting amount towards future prospects. Hence, I do not find any substance in the above submission of respondent.

43. In the present case, age of Yuvraj is considered as 50 years, who was self employed. Hence, 25% amount of his notional income will have to be considered as future prospects, which comes to Rs. 18,000/- (25% of 72,000/-) and total income would be Rs. 90,000/- per annum (72,000/- + 18,000/-).

44. In view of judgments of Hon'ble Supreme Court in the cases of **Sarla Varma** cited supra, 1/3rd amount of his income has to be deducted towards his personal expenses, which comes to Rs. 30,000/-. As such, after deducting Rs. 30,000/- (1/3rd of 90,000)

towards personal living expenses of the deceased, loss of dependency would come to Rs. 60,000/- per annum. In this case, proper multiplier is of '13'. Therefore, amount comes Rs. 7,80,000/- (60,000 x 13) towards loss of dependency.

45. In **Magma General Insurance Co. Ltd. Vs. Nanu Ram @ Chuhru Ram (2018) 18 S.C.C.130**, Hon'ble Apex Court has discussed concept of consortium and Rs. 40,000/- each was granted to towards loss of consortium. Therefore, claimants being the widow and sons of Yuvraj (deceased), are entitled for consortium amount of Rs. 40,000/- each. Claimants are also entitled Rs. 15,000/- towards funeral expenses and Rs. 15,000/- towards loss of estate.

46. Considering all the facts and circumstances, as discussed above, I come to the conclusion that, accident took place due to rash and negligent driving of rider of motor-cycle bearing registration No. MH-33-E-9861 but there is contributory negligence to the extent of 20% on the part of Yuvraj Vihire (deceased), which comes to Rs. 2,28,120/-. So, claimants are entitled for compensation of an amount of Rs. **9,12,480/-** (11,40,600/- (-) minus 2,28,120/-).

47. As such, the claimants are entitled for compensation amount as follows:-

S. N.	Particulars	Amount in Rs.
1)	Loss of dependency	7,80,000/-
2)	Medical & Hospital Expenses	2,10,600/-
3)	Loss of consortium (Rs.40,000 for each of the claimant Nos. 1 to 3)	1,20,000/-

S. N.	Particulars	Amount in Rs.
4)	Funeral Expenses	15,000/-
5)	Loss of estate	15,000/-
Total amount		11,40,600/-
6)	Less amount of contributory negligence of 20%.	(-)minus 2,28,120/-
Total payable amount of Compensation		9,12,480/-
(Rupees Nine Lakhs Twelve Thousands Four Hundred Eighty Only)		

48. In view of above, claimants are entitled for compensation of an amount of Rs. **9,12,480/-**. Record indicates that claimants are somewhat responsible to prolong the matter for one count or other. Record indicates that issues came to be framed on 05/10/2019. Considering the peculiar facts and circumstances of the case, claimants are entitled for the interest @ 6 % p.a. on the compensation amount **from 05/10/2019 till the date of realization of the amount.**

49. In the present matter vehicle of respondent Premsingh was not insured and Premsingh died during the pendency of claim petition. Accordingly, his legal representatives are brought on record as respondent nos. 1/A to 1/C. Since there is no insurance company, all the respondents are liable to pay the compensation to the claimants. It is made clear that, the liability of respondent no. 1/A to 1/C shall be restricted only to the extent of the estate of Premsingh Rajput (original respondent) inherited by them or subject to any other law in this regard, as the case may be. In this

backdrop, I record my findings to issue No. 3 accordingly and proceed to pass the following order:

ORDER

- 1] Claim petition is partly allowed with proportionate costs.
- 2] Respondents, who are the legal representatives of Premsingh Anantsingh Rajput are directed to pay the amount of compensation of Rs. 9,12,480/- (Rupees Nine Lakhs Twelve Thousands four Hundred Eighty Only) inclusive of amount of compensation awarded under No Fault Liability, together with interest @ 6% p.a. **from 05/10/2019 till the date of realization of the amount.** Claimant nos. 1 to 3 are entitled for equal share in the said amount.
- 3] Legal representatives of respondent Premsingh Anantsingh Rajput i.e. respondent nos. 1/1 to 1/3 shall make payment of the compensation amount by depositing the same along with interest in Saving Bank Account of Tribunal's Saving Bank Account No. 40777681930, IFSC Code-SBIN0021055, State Bank of India, Collectorate Branch, at Main Road, Latur.
- 4] After depositing the above said amount, they are directed to inform unique transaction reference number (UTR) to this Tribunal by filing pursis.
- 5] Claimants are directed to pay the deficit court-fees within 15 days, if any.
- 6] Award be drawn up accordingly.

Date : 13/03/2026

(S. J. Bharuka)
Chairman, M.A.C.T. Latur.

"CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER".

C.R. Kulkarni
Stenographer (Grade-1)

Name of the Judge(With Court Room No.)	Shri. S.J. Bharuka, Chairman, M.A.C.T. Latur. (22)
Date for pronouncement of Judgment/Order	13/03/2026
Judgment/Order signed by P.O. on	13/03/2026