

**ORDER BELOW EX.2 IN M.A.C.P. NO.853 OF 2021**

Perused the application, say and documentary evidence.

2. This is an application under section 140 of the Motor Vehicles Act, for grant of compensation under “No Fault Liability” of Rs.25,000/-.

3. It reveals that on 01.04.2021 at about 06.30 hrs. (\*), the petitioner was an occupant of Auto Rickshaw bearing No.MH-47-AJ-9836. At that time, offending Motor Car No.MH-12-PQ-3297 driven it rashly and negligently and caused an accident, due to which petitioner sustained grievous injuries, resulting into permanent disability of 41%.

4. Respondent 2 filed its written statement (Exh.11) and denied all the averments made by the petitioner in the application. However, as per the Certificate of Insurance, the offending vehicle was duly insured with respondent 2 at the time of accident.

5. On perusal of documents on record, it is evident that, the petitioner sustained grievous injuries in the accident, resulting into permanent disability of 41%. Petitioner has produced on record medical papers and disability certificate showing permanent disability of 41% as non-progressive, not likely to improve which are sufficient to grant NFL. Therefore, respondent 1 & 2 are jointly and severally liable to pay the compensation to the petitioner. Hence, order :-

## ORDER

1 Application Exhibit 2 stands allowed as under :-

Respondents 1 and 2 shall, jointly and severally, deposit an amount of Rs.25,000/- (Rupees Twenty-Five Thousand only) in the Court, as compensation towards N.F.L. within 1½ months. Failing which, the amount shall carry interest at the rate of 7% per annum in below stated bank account of this Tribunal directly by NEFT/RTGS:-

Account Name	MOTOR ACCIDENT CLAIMS TRIBUNAL MUMBAI
Account No.	00000040777482356
IFS Code.	SBIN0030002
MICR Code.	400002273

2. After getting deposited the amount directed above, it be disbursed to the petitioner by NEFT/RTGS on submitting her bank account passbook photocopies duly verified by her banker and against proper identification by following the usual office procedure.

3. Interim award be drawn accordingly.

**(Vikas S. Kulkarni)**  
Member, C.R. No.2  
MACT, Mumbai

Date : July 18, 2023

[(\*) Typographical error in date and time has been rectified.]