

ORDER BELOW EX.2 IN M.A.C.P. NO.1034 OF 2022

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 31.05.2022 at about 07.10 a.m., the petitioner was proceeding in Bolero Car No.MH-16-AT-0171, one Bus No.MH-01-DR-0360 driven it rashly and negligently and caused an accident, due to which petitioner sustained grievous injuries, resulting into permanent disability of 74%.

4. Respondent 2 filed its written statement (Exh.15) and denied all the averments made by the petitioner in the application. However, it is admitted that 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 74%. Petitioner has produced on record medical papers and disability certificate showing permanent disability of 74% 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 his bank account passbook photocopies duly verified by his 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 26, 2023