

**IN THE COURT OF CHAIRMAN, MOTOR ACCIDENT CLAIM TRIBUNAL,
NAGPUR**

[Presided over by Dinesh P. Surana]

AWARD

Exhibit No. 60

M.A.C.P. No. 725 of 2019

- 1] Yogita Wd/o. Anup Tiwari, ... **Petitioners**
Age 35 years, Occu. Housewife,
- 2] Simran D/o. Anup Tiwari,
Age 13 years, Occu. Student,
Acting through the Biological Mother
Yogita Wd/o. Anup Tiwari.
- 3] Shruti D/o. Anup Tiwari,
Age 6 years, Occ. Student.
Acting through the Biological Mother
Yogita Wd/o. Anup Tiwari.
- 4] ~~Mandabai Wd/o. Vijay Tiwari,~~
Aged 62 years, Occ. Houwewife,
(Deleted as per order dated 06.05.25).

All 1 to 4 R/o. Plot No.68,
Near Wanjari Kirana shop,
Mitravihar Nagar, Kharbi Road,
Hanuman Nagar, Nagpur-440009.

// **Versus** //

- 1] Jalaudeen Khan, ... **Respondents**
(Driver of Force Traveller),
Age: Major, Occ. Driver,
R/o. C/o.Ravi Kumar Sultan Singh,
House No.241, V.P.O., Bakoli,
P.S. Alipur, Delhi-36.
- 2] Ravi Kumar S/o. Sh. Sultan Singh,
(Owner of Force Traveller),
Age: Major, Occ. Business,
R/o. House No.241, V.P.O., Bakoli,
P.S. Alipur, Delhi-36.

- 3] Lalit Kumar (Bus Driver),
Age: Major, Occ. Driver,
C/o. Mahendra Kumar S/o. Jaiguru,
B-176, Indira Vikas Colony,
Dr. Mukharji Nagar, New Delhi-09.
- 4] Mahendra Kumar S/o. Jaiguru,
(Owner of Bus),
Age: Major, Occ. Business,
C/o. B-176, Indira Vikas Colony,
Dr. Mukharji Nagar, New Delhi-09.
- 5] United India Insurance Company,
(Insurance Company for both vehicles)
Through its authorised person, T.P. Hub,
Opp. VCA Stadium, Nagpur.

**[CLAIM PETITION FOR GRANT OF COMPENSATION U/SEC. 166
OF THE MOTOR VEHICLES ACT, 1988]**

Appearances:

Adv. R.M. Tahaliyani for the petitioners.
Respondent Nos.1 to 4 proceeded ex-parte.
Adv. Asgar Hussain for the respondent No.5.

CLAIM FOR : Rs. 1,00,000/-
FILED ON : 08/08/2019
DECIDED ON : 20/03/2026

The claim petition came before me on this 20/03/2026 for disposal in presence of Adv. R.M. Tahaliyani for the petitioners, Respondent Nos.1 to 4 proceeded ex-parte and Adv. Asgar Hussain for the respondent No.5, it is hereby ordered that :-

ORDER

- i] Petition is allowed with proportionate costs.
- ii] The Respondent Nos.1 to 5 do pay jointly and severally to the petitioners, an amount of compensation of **Rs.30 Lacs (Rupees Thirty Lacs only)** (including the amount received by the

petitioners towards the 'No Fault Liability', if any), along with interest thereon at the rate of 7% per annum, from the date of petition, till its realization.

- iii] The petitioner No.1 is entitled to the share of 60% and the petitioners No.2 & 3 are entitled to the share of 20% each, in the above amount of just compensation.
- iv] The Registrar (MACT), Nagpur, to take the account details of the petitioners, which shall be of any Nationalised Bank only, and send it to the respondent Nos.1 to 5, for compliance.
- v] The concerned bank manager is directed to keep one-half ($\frac{1}{2}$) share of the petitioner No.1 in the FDR in her name for 5 years. On maturity of the said FDR, the concerned bank shall directly pay the maturity amount to the petitioner No.1, after due identification and verification, without insisting on the further orders of this Tribunal.
- vi] The concerned bank manager is further directed to keep the entire amount of compensation payable to the minor petitioners No.2 and 3 in FDRs in their respective names, with an auto-renewal option, till they attain the age of 21 years. On maturity, the concerned bank shall directly pay the amount of their FDRs to the petitioners No.2 and 3, after due identification and verification, without insisting on the further orders of this Tribunal, after petitioners No.2 and 3 attain the age of 21 years.
- vii] The petitioner No.1, being the natural guardian/mother of minor petitioners No.2 & 3, is entitled to the quarterly accrued interest on the FDRs of minor petitioners No.2 & 3, towards their maintenance. The concerned bank manager is directed to

assist the petitioner No.1 for the payment of such interest or continue to deposit the same in her bank account till the petitioners No.2 & 3 attend the age of 21 years.

- viii] Award be drawn accordingly, but only after petitioners affix the deficit court fees, if any, on the entire amount of awarded just compensation.
- ix] The respondents No. 1 to 5 are directed to report the compliance of this order to this tribunal expeditiously and without fail.

Nagpur.

Date : 20.03.2026

Sd/-
[Dinesh P. Surana]
Chairman, MACT &
Principal District Judge,
Nagpur

BILL OF COSTS

S. N.	Particulars	Petitioner	Respondent Nos. 1 to 4 (<i>Ex-parte</i>)	Respondent No. 5
1	Stamp on Petition	15000=00	-----	-----
2	Stamp on Vakalatnama	10=00	-----	20=00
3	Stamp on Process.	90=00	-----	-----
4	Stamp on Applications.	280=00	-----	15=00
5	Pleaders Fees	19362=00	-----	19362=00
6	Stamp on Documents	-----	-----	-----
	Total	34742=00	-----	19397=00
7	Less: Stamp on Petition	-----	-----	-----
8	Pleaders fee	-----	-----	-----
	<u>Total Proportionate Costs</u>	34742=00	-----	19397=00

Given under my hands and seal of the Court on this 20th day of March, 2026, at Nagpur.

Prepared by
B.C. To PDJ, Nagpur.

(Dinesh P. Surana)
Chairman, M.A.C.T., Nagpur.
Date : 08/05/2026

Counsel for Petitioners present.
Counsel for Respondents absent when called.

Account Name : Member, Motor Accident Claims Tribunal, Nagpur.

Account No.: 40799142551

IFSC Code: SBIN0051191

MICR Code: 440002072