CNR-MHPA100004752020	Received on	:	22/12/2020		
	Registered on	:	22/12/2020		
	Decided on	:	08/07/2026		
	Duration	:	05 Year	08 Months	16 Days
	Exhibit No.	:	**42**		

IN THE COURT OF THE MEMBER, MOTOR ACCIDENT CLAIMS TRIBUNAL, GANGAKHED, TALUKA GANGAKHED, DISTRICT PARBHANI

(Presided over by Virbhadra M. Sundale)

Motor Accident Claim Petition No. 31/2020

1.	Renuka W/o Vijay Bansode, Age: 34 Yrs., Occ: Household,	**PETITIONERS**
2.	Shrushti D/o Vijay Bansode, Age: 05 Yrs., Minor Through her legal guardian mother petitioner No.1,	
3.	Pragati D/o Vijay Bansode, Age: 8 Yrs., Minor Through her legal guardian mother petitioner No.1,	
4.	Shobhabai W/o Keshavrao Bansode, Age: 55 Yrs., Occ: Household,	
	All R/o: Savata Mali Mandir, Parli, Tq. Parli (V), Dist. Beed. A/P R/o Makhani, Tq. Gangakhed, Dist: Parbhani	
	VERSUS	
1.	Laxman S/o Bhagoji Ghatmal, Age: Major, Occ: Business, R/o: Nagapur, Tq. Parli (V), Dist. Beed.	

2.	The New India Assurance Co. Ltd. The Branch Manager, Mahavir Chowk, Parbhani, Tq. & Dist. Parbhani.	**RESPONDENTS**

Claim for Rs. 28,00,000/-.

Petition under Section 166 of the Motor Vehicles Act, 1988.

APPEARANCE: Adv. Mr. G.M.Bobade for petitioners.
Adv. Mr. S.R.Ghatage, for respondent No.1.
Adv. Mr. G.H.Dodiya, for respondent No.2.

J U D G M E N T

(Delivered on 08th day of July, 2026)

01. The present petition is filed under Section 166 of the Motor Vehicles Act, 1988 seeking compensation of ₹28,00,000/- together with interest at the rate of 12% per annum from the date of the accident till realization on account of the death of Vijay S/o. Keshavrao Bansode in a motor vehicle accident that occurred on 04.10.2020.

02. In brief, it is the case of the petitioners that petitioner No.1 is the widow of deceased Vijay S/o. Keshavrao Bansode, petitioner Nos.2 and 3 are his minor daughters represented through petitioner No.1, and petitioner No.4 is the mother of the deceased. According to the petition, the deceased was about 35 years of age and was employed as a driver. It is pleaded that he was drawing a monthly salary of ₹9,000/- and was also receiving a daily bhatta of ₹100/-, thereby earning approximately ₹12,000/- per month. The deceased was the sole breadwinner and Karta of the family and was maintaining all the petitioners out of his earnings. It is the case of the petitioners that they were wholly dependent upon the income of the deceased for their livelihood. It is further contended that, owing to the sudden and

untimely demise of the deceased in the motor accident, the family has been deprived of its only source of financial support and has consequently suffered severe financial hardship. It is also averred that the petitioners have sustained irreparable mental pain and agony and have been deprived of the love, affection, care, guidance and consortium of the deceased. On these assertions, the petitioners have claimed just and reasonable compensation under various pecuniary and non-pecuniary heads as provided under the Motor Vehicles Act.

03. According to the petitioners, the accident in question occurred on 04.10.2020 at about 12.30 a.m. when the deceased was proceeding towards Pangaon, District Latur, on his motorcycle bearing registration No. MH-24-G-1313 along with one Nitin Karpude for private work. The deceased was riding the motorcycle cautiously, at a slow and moderate speed, on the correct left side of the Parli-Dharmapuri Road. When they reached Saradgaon Ghat, a truck bearing registration No. MH-11-AL-7888 allegedly came from the opposite direction at a high speed and in a rash and negligent manner. It is alleged that the driver of the truck lost control over the vehicle and dashed violently against the motorcycle. Due to the severe impact, the deceased sustained multiple grievous injuries all over his body and died on the spot because of excessive bleeding. The dead body was thereafter subjected to post-mortem examination at Civil Hospital, Parli Vaijnath. The accident was reported to Parli Gramin Police Station, where Crime No.288 of 2020 came to be registered against the driver of the offending truck for offences punishable under Sections 279, 337, 338 and 304-A of the Indian Penal Code. According to the petitioners, the accident occurred solely due to the rash and negligent driving of the offending truck by its driver.

04. The petitioners further contend that respondent No.1 is the owner of the offending truck bearing registration No. MH-11-AL-7888 and respondent No.2 is its insurer under a valid insurance policy effective on the date of the accident. It is pleaded that both the respondents are jointly and severally liable to pay compensation for the death of the deceased. The petitioners have quantified the compensation under different heads including loss of dependency, consortium, mental shock and agony, loss of love and affection, funeral expenses and transportation charges. Though the total computation comes to ₹28,69,000/-, the petitioners have restricted their claim to ₹28,00,000/- together with interest at the rate of 12% per annum from the date of the accident till realization. They have further stated that if the Tribunal awards compensation exceeding the amount claimed, they are ready to pay the requisite deficit court fees or permit deduction thereof from the compensation awarded. The petitioners have also pleaded that this Tribunal has territorial jurisdiction to entertain the claim petition. It is further averred that no other claim petition has been filed before any Court or Tribunal in respect of the same accident. On these averments, the petitioners have prayed for allowing the claim petition with costs and granting just and reasonable compensation against the respondents jointly and severally.

05. Respondent No.1 has resisted the claim by filing his written statement and denied the material averments made in the petition. He has disputed the age, occupation and income of the deceased and contended that the petitioners have failed to establish that the deceased was earning ₹9,000/- per month with an additional daily bhatta of ₹100/- or that he was the sole breadwinner of the family. He has also denied the petitioners' calculation of compensation under different heads and contended that the compensation claimed is highly excessive, exaggerated and not supported by cogent evidence. Though respondent

No.1 has not disputed the registration of the crime, the ownership of the offending truck and the fact that the vehicle was insured with respondent No.2 under a valid insurance policy on the date of the accident, he has denied the allegations regarding rash and negligent driving of the truck and his liability to pay compensation.

06. Respondent No.1 has further contended that the accident occurred solely due to the negligence of the deceased, who was allegedly riding his motorcycle carelessly on a ghat road, and therefore the petitioners are not entitled to any compensation. It is further pleaded that the owner and insurer of the motorcycle ridden by the deceased are necessary parties to the proceedings and, in their absence, the petition suffers from non-joinder of necessary parties. Without prejudice to the aforesaid contentions, respondent No.1 has submitted that since the offending truck was covered by a valid insurance policy issued by respondent No.2 on the date of the accident, any liability, if determined by the Tribunal, is required to be indemnified by respondent No.2 in terms of the policy. On these grounds, respondent No.1 has prayed for dismissal of the claim petition with costs.

07. Respondent No.2–Insurance Company also resisted the claim by filing its written statement. It denied all the material averments of the petition and contended that the petition is false, not maintainable and that the claim is highly exaggerated. The Insurance Company denied the involvement of the insured truck in the accident, disputed the manner of the accident, the age, occupation and income of the deceased, and called upon the petitioners to strictly prove all their pleadings by cogent evidence. It further contended that there was breach of the terms and conditions of the insurance policy as the driver allegedly did not possess a valid and effective driving licence and the insured vehicle was not holding valid permit, fitness certificate and

other statutory documents. It also raised objections regarding non-compliance with the provisions of Sections 134(c) and 158(6) of the Motor Vehicles Act and sought permission to raise all statutory defences available under Sections 149(2) and 170 of the Motor Vehicles Act. It was further contended that the deceased himself was negligent in driving the motorcycle without a helmet and valid driving licence and had contributed to the accident, therefore, at least 50% of the compensation, if any, is liable to be deducted on account of contributory negligence. The Insurance Company also contended that the owner and insurer of the motorcycle were necessary parties, disputed its liability to pay interest at the rate claimed by the petitioners, and ultimately prayed for dismissal of the claim petition with costs.

08. In light of the pleadings of the parties and the rival contentions raised by them, the learned Predecessor of this Tribunal framed the following issues for determination. Upon careful consideration of the oral and documentary evidence adduced on record, as well as the submissions advanced on behalf of both the parties, I have arrived at the following findings on the said issues for the reasons discussed hereinafter.

Sr. No.	ISSUES	FINDINGS
1.	Whether the petitioners prove that, the death of Vijay s/o Keshavrao Bansode is caused in a vehicular accident occurred on 04.10.2020 on Parli to Dharmapuri road?	Affirmative
2.	Whether the petitioners prove that, the accident occurred due to rash and negligent driving of offending vehicle bearing registration No. MH-11-AL-7888?	Affirmative
3.	Whether respondent No.2 proves that the driver and the owner of the offending vehicle have committed breach of terms and conditions of	Negative

	insurance policy?	
4.	Whether respondent No.2 proves that, the petition is bad for non-joinder of necessary parties?	Negative
5.	What order and award?	As per final order.

R E A S O N S

ISSUE NO.1 AND 2:

09. Before adverting to the rival contentions, it is necessary to examine whether the petitioners have succeeded in establishing the foundational facts giving rise to their claim for compensation under the Motor Vehicles Act. The determination of the manner in which the accident occurred and whether it was the result of the rash and negligent driving of the offending vehicle forms the very foundation for adjudicating the petitioners' entitlement to compensation. Both these issues are closely interconnected, as they arise out of the same set of facts, and are therefore taken up together for consideration in order to avoid repetition of the evidence and findings. The initial burden rests upon the petitioners to establish that Vijay s/o Keshavrao Bansode died in a motor vehicular accident and that the accident was caused by the rash and negligent driving of the offending truck. It is well settled that proceedings under Section 166 of the Motor Vehicles Act are summary in nature and that the strict rules of evidence applicable to criminal trials do not govern such proceedings. The Tribunal is required to determine the question of negligence on the touchstone of the preponderance of probabilities and not on the stringent standard of proof beyond reasonable doubt. Keeping these well-settled principles in view, the oral as well as documentary evidence adduced by the parties is required to be carefully evaluated and appreciated.

10. In order to prove their case, the petitioners have examined petitioner No.1 Renuka Vijay Bansode (PW1) and employer Nilesh Ankush Munde (PW2). Besides oral evidence, they have relied upon Form Comp-AA, First Information Report, Spot Panchanama, Inquest Panchanama, Post Mortem Report, Registration Certificate of the offending truck, Insurance Policy, Fitness Certificate, Tax Receipt, Pollution Under Control Certificate, Driving Licence of the truck driver, Aadhaar Card and Driving Licence of the deceased and Salary Certificate. All these documents are collectively marked at Exh. 25. Renuka (PW1) has deposed that on the intervening night of 03rd and 04th October, 2020, the deceased Vijay was proceeding on his motorcycle towards Pangaon along with one Nitin Karpude. According to her, when they reached Saradgaon Ghat on Parli-Dharmapuri Road, the offending truck bearing registration No. MH-11-AL-7888 came from the opposite direction on the wrong side at a high speed and dashed against the motorcycle. She has further stated that Vijay sustained grievous injuries and succumbed to the same on the spot. Though she admittedly is not an eye witness to the accident, her evidence regarding the subsequent events and the relationship of the deceased with the petitioners has remained substantially unshaken.

11. It is true that during cross-examination Renuka (PW1) admitted that she had not personally witnessed the accident and that she learnt about it from others. Such admission, however, does not weaken the case of the petitioners because her evidence regarding the manner of accident is corroborated by contemporaneous public documents prepared immediately after the occurrence. A widow of the deceased cannot ordinarily be expected to witness the accident personally. Her testimony regarding the accident is therefore required to be appreciated in conjunction with documentary evidence. The FIR lodged on 06.10.2020 reveals that Crime No.288 of 2020 came to be

registered against the driver of truck bearing registration No. MH-11-AL-7888 for offences punishable under Sections 279, 337, 338 and 304-A of the Indian Penal Code. The FIR specifically attributes rash and negligent driving to the driver of the offending truck. Though the FIR is not substantive evidence by itself, it is a contemporaneous document and lends considerable assurance to the version of the petitioners. Significantly, there is no material to show that the criminal case was registered against any other person or that the deceased was treated as the wrongdoer.

12. The Spot Panchanama prepared immediately after the accident also supports the prosecution version regarding involvement of the offending truck in the accident. Nothing has been brought on record to show that the said panchnama is fabricated or manipulated. The respondents have not challenged its genuineness by leading rebuttal evidence. The Inquest Panchanama records that Vijay died due to injuries sustained in the road traffic accident. The Post Mortem Report further establishes that the cause of death was heart injury with hemotharax associated with multiple injuries. Thus, the medical evidence unmistakably establishes that the death was instantaneous and directly attributable to the injuries sustained in the vehicular accident. There is absolutely no material suggesting any intervening cause or natural death.

13. The respondents have extensively cross-examined Renuka (PW1). However, except eliciting that she had not witnessed the accident personally, nothing substantial has been brought on record to probabilise the defence that the deceased himself was responsible for the accident. Mere suggestions put during cross-examination do not constitute evidence. The respondents were required to substantiate their defence by leading cogent evidence, which they have failed to do. The

Insurance Company has pleaded contributory negligence on the ground that the deceased was allegedly not wearing a helmet and was driving negligently. However, no evidence whatsoever has been produced in support of the said plea. On the contrary, Renuka (PW1) has categorically stated that the deceased was in the habit of wearing a helmet and had also worn a helmet while leaving the house on the day of the incident. Though she could not state its colour, such inability cannot by itself discredit her testimony. Likewise, the plea that the deceased did not possess a valid driving licence is also without merit. The petitioners have produced the driving licence of the deceased which remained unchallenged. Therefore, the allegation regarding absence of a valid driving licence stands falsified.

14. Another important circumstance against the respondents is that though they have taken several pleas in the written statement, neither the owner nor the Insurance Company has chosen to examine the truck driver or any official witness. The truck driver was the best person to explain the manner in which the accident occurred. An adverse inference under Section 114 Illustration (g) of the Indian Evidence Act is therefore liable to be drawn against the respondents for withholding the best available evidence. Had the truck driver entered the witness box, the true facts regarding the accident would have emerged. His non-examination materially weakens the defence. Similarly, no investigating officer has been examined by the respondents to demonstrate that the deceased had contributed to the accident. There is also no independent evidence indicating excessive speed or negligence on the part of the deceased. In the absence of such evidence, the plea of contributory negligence remains a mere assertion.

15. The respondents have also failed to produce any sketch map, photographs, expert opinion or other evidence showing that the

motorcycle was on the wrong side of the road or that the collision occurred due to any fault attributable to the deceased. Mere pleading in the written statement cannot substitute legal proof. The registration certificate establishes that respondent No.1 was the owner of the offending truck. The Insurance Policy further establishes that the offending vehicle was duly insured with respondent No.2 and the policy was valid from 09.06.2020 to 08.06.2021, which covered the date of accident. The Fitness Certificate, Tax Receipt and Pollution Certificate were also valid on the date of accident. The driving licence of the truck driver was valid and effective. Thus, the involvement of the offending vehicle and its lawful operation stand established by documentary evidence.

16. On cumulative appreciation of the oral testimony of Renuka (PW1), the contemporaneous police papers, medical evidence and the complete absence of rebuttal evidence from the respondents, this Tribunal is satisfied that the petitioners have successfully established that Vijay s/o Keshavrao Bansode died in the motor vehicular accident dated 04.10.2020 and that the accident occurred solely due to the rash and negligent driving of truck bearing registration No. MH-11-AL-7888. The respondents have failed to probabilise the plea of contributory negligence or any negligence on the part of the deceased. Further, for the reasons recorded above, this Tribunal also holds that the petitioners have proved that the accident occurred solely due to the rash and negligent driving of the offending truck by its driver. The defence raised by the respondents is unsupported by any acceptable evidence and therefore deserves rejection. In view of above discuss, Issue No. 1 and 2 answered in the affirmative.

<u>ISSUE NO.3:</u>

17. The burden to establish breach of the terms and conditions

of the insurance policy squarely rests upon respondent No.2-Insurance Company. Mere pleading of breach is not sufficient. It is incumbent upon the insurer to adduce cogent and convincing evidence to prove that there was violation of any policy condition so as to avoid its statutory liability under Section 149(2) of the Motor Vehicles Act. In the present case, respondent No.2 has pleaded in its written statement that the driver of the offending truck was not holding a valid and effective driving licence and that the offending vehicle did not possess valid permit, fitness certificate and other statutory documents. It has also pleaded violation of Sections 134(c) and 158(6) of the Motor Vehicles Act and sought protection under Sections 149(2) and 170 of the Act. However, except taking such pleas in the written statement, the Insurance Company has not led any oral or documentary evidence in support thereof. On the contrary, the documentary evidence produced by the petitioners demonstrates that the offending truck was duly registered and insured on the date of accident. The insurance policy was valid from 09.06.2020 to 08.06.2021, thereby covering the date of accident i.e. 04.10.2020. Likewise, the Fitness Certificate, Tax Receipt and Pollution Under Control Certificate were valid and subsisting on the date of accident. The driving licence of the truck driver has also been produced on record and there is nothing to indicate that the same was fake, expired, suspended or invalid.

18. The Insurance Company has not examined any official from the Regional Transport Office to establish that the driving licence was invalid. Neither any investigator nor any officer of the Insurance Company has entered the witness box to prove breach of policy conditions. No notice under Order XII Rule 8 of the Code of Civil Procedure or any correspondence calling upon the owner to produce statutory documents has been proved. There is also no material to show

that the owner had consciously permitted an unlicensed person to drive the offending vehicle. It is a settled principle of law that unless the insurer proves wilful breach of the policy conditions by leading satisfactory evidence, it cannot escape its statutory liability towards third-party claimants. Mere allegations contained in the written statement or suggestions made during cross-examination do not constitute proof of breach. The burden cast upon the insurer has remained completely undischarged.

19. The Insurance Company has further alleged that the deceased himself was negligent and that there was contributory negligence. However, as already discussed while deciding Issue Nos.1 and 2, no evidence whatsoever has been adduced to substantiate the said plea. The driver of the offending truck, who was the best witness to explain the circumstances of the accident, has also not entered the witness box. Consequently, the plea regarding breach of policy conditions and contributory negligence remains unsubstantiated. The respondents extensively cross-examined the petitioners' witnesses, but cross-examination by itself cannot substitute substantive evidence. In the absence of any rebuttal evidence, the documentary evidence adduced by the petitioners remains unchallenged and inspires confidence. In view of the aforesaid discussion, this Tribunal is of the considered opinion that respondent No.2 has utterly failed to establish any breach of the terms and conditions of the insurance policy. Consequently, respondent No.2 being the insurer of the offending vehicle is liable to indemnify respondent No.1 and satisfy the award. Accordingly, Issue No.3 is answered in the Negative.

ISSUE NO.4:

20. Respondent No.2 has contended that the owner and insurer of the motorcycle ridden by the deceased are necessary parties to the present proceedings and in their absence the petition is liable to be dismissed. The said contention deserves outright rejection. The petitioners have specifically pleaded that the accident occurred solely due to rash and negligent driving of truck bearing registration No. MH-11-AL-7888. The evidence adduced before the Tribunal also establishes that the criminal case came to be registered only against the driver of the offending truck. The police papers do not attribute any negligence to the deceased. The respondents have also failed to prove contributory negligence on the part of the deceased. When the petitioners seek compensation from the owner and insurer of the offending vehicle responsible for the accident, they are entitled to proceed against the tortfeasor alone. It is well settled that in such cases the owner and insurer of the vehicle driven by the deceased are not necessary parties unless there is acceptable evidence of composite or contributory negligence requiring apportionment of liability.

21. In the present case, respondent No.2 has not produced any material indicating negligence on the part of the deceased. No independent witness, investigating officer or truck driver has been examined to establish contributory negligence. Consequently, there is no occasion to fasten any liability upon the owner or insurer of the motorcycle. Moreover, respondent No.2 has not demonstrated as to how its defence has been prejudiced due to the absence of the owner or insurer of the motorcycle. Mere pleading of non-joinder, unsupported by evidence, is not sufficient to non-suit the petitioners. The Motor Vehicles Act is a beneficial legislation enacted to provide just compensation to victims of motor accidents. Hyper-technical objections regarding joinder

of parties should not be permitted to defeat legitimate claims, particularly when the offending vehicle has been clearly identified and its negligence stands established. Therefore, this Tribunal holds that the claim petition is perfectly maintainable against the owner and insurer of the offending truck and does not suffer from non-joinder of necessary parties. Accordingly, Issue No.4 is answered in the Negative.

ISSUE NO.5:

22. Having held that the deceased Vijay s/o Keshavrao Bansode died due to the rash and negligent driving of the offending truck and that respondent No.2 has failed to establish breach of policy conditions, the petitioners are entitled to just compensation. The deceased was aged 35 years on the date of accident as reflected from the Post Mortem Report and Aadhaar Card. Though the petitioners have claimed that he was earning ₹12,000/- per month as a driver, the salary certificate (Exh.30) is a typed document on plain paper. Nilesh (PW2), who allegedly employed the deceased, admitted during cross-examination that there was no appointment letter, salary register, wage register, receipt, muster roll, written agreement or any official record evidencing such employment. Therefore, the salary certificate cannot be accepted as reliable proof of income. Nevertheless, it cannot be ignored that the deceased possessed a valid driving licence and was capable of earning as a skilled driver. Considering the nature of his vocation, the year of accident, his age, and the prevailing wages, the Tribunal considers it appropriate to assess his notional monthly income at ₹8,000/-, which would constitute a fair and reasonable estimate.

23. The deceased was aged 35 years and was self-employed. Therefore, **40%** of the income deserves to be added towards future

prospects. Thus, the compensation payable to the petitioners is computed as follows:

Sr. No.	Particulars	Amount (₹)
01.	Monthly Income	8,000
02.	Add 40% towards future prospects	3,200
03.	Monthly income after addition	11,200
04.	Annual income	1,34,400
05.	Less 1/4th towards personal expenses	33,600
06.	Annual contribution to the family	1,00,800
07.	Multiplier (Age 35 years)	16
08.	Loss of dependency	16,12,800
	Conventional Heads (Enhanced by 10%)	
09.	Loss of dependency	16,12,800
10.	Spousal consortium to petitioner No.1 (₹40,000 + 10%)	44,000
11.	Parental consortium to petitioner No.2 (₹40,000 + 10%)	44,000
12.	Parental consortium to petitioner No.3 (₹40,000 + 10%)	44,000
13.	Filial consortium to petitioner No.4 (₹40,000 + 10%)	44,000
14.	Loss of estate (₹15,000 + 10%)	16,500
15.	Funeral expenses (₹15,000 + 10%)	16,500
	Total Compensation	**18,21,800**

24. Thus, the petitioners are entitled to total compensation of ₹18,21,800/- (Rupees Eighteen Lakhs Twenty-One Thousand Eight Hundred only). Respondent No.1, being the owner of the offending

truck, is primarily liable to pay the compensation. However, as the offending vehicle was admittedly insured with respondent No.2 under a valid insurance policy and no breach of the policy conditions has been established, respondent No.2 is under a statutory obligation to indemnify respondent No.1 and satisfy the award. Accordingly, respondent Nos.1 and 2 are jointly and severally liable, with respondent No.2 being liable to deposit the awarded amount. The petitioners shall also be entitled to interest at the rate of 7% per annum on the compensation amount of ₹18,21,800/- from the date of filing of the claim petition till its realization, which is just and reasonable in the facts and circumstances of the case. Accordingly, in reply to Issue No.5 the following order is passed.

O R D E R

1. The claim petition is partly allowed with costs.
2. The petitioners are entitled to compensation of **₹18,21,800/- (Rupees Eighteen Lakhs Twenty-One Thousand Eight Hundred only)** together with interest at the rate of 7% per annum from the date of filing of the petition till realization.
3. Respondent Nos.1 and 2 are jointly and severally liable to pay the compensation. However, respondent No.2–Insurance Company shall indemnify respondent No.1 and deposit the aforesaid amount, inclusive of the amount of compensation, if any, already paid to the petitioners under Section 140 of the Motor Vehicles Act, together with accrued interest, by RTGS/NEFT into the Tribunal Account maintained with the State Bank of India, bearing the following particulars:

   Account Name: Ex-Officio Member, Motor Accident Claims Tribunal, Gangakhed

   Customer Name: District and Sessions Judge, Gangakhed

Account No.: 40791205612

IFSC Code: SBIN0020023

5. The compensation amount shall be apportioned in such a manner that Petitioner No.1, being the widow of the deceased, shall be entitled to ₹8,21,800/-, Petitioner No.2, being the minor daughter, shall be entitled to ₹4,00,000/-, Petitioner No.3, being the minor daughter, shall also be entitled to ₹4,00,000/-, and Petitioner No.4, being the mother of the deceased, shall be entitled to ₹2,00,000/-. The share of petitioner Nos.2 and 3 shall be kept in Fixed Deposit in a Nationalized Bank till they attain majority. Petitioner No.1 shall be entitled to withdraw only the accrued interest for their welfare and education.
6. Out of the share of petitioner No.1, a sum of ₹3,00,000/- together with proportionate interest shall be invested in a Fixed Deposit in a Nationalized Bank for a period of three years. The remaining amount shall be released to her by account payee cheque/NEFT after due verification.
7. The share of petitioner No.4 shall be released to her by account payee cheque/NEFT after due verification.
8. Draw the Award accordingly.

DISTRICT COURTS MAHARASHTRA

Digitally signed by VIRBHADRA MAHADAPPA SUNDALE
Date: 2026.07.08 17:13:51 +0530

(Virbhadra M. Sundale)
Member,
Motor Accident Claim Tribunal,
Gangakhed, District: Parbhani

Date: 08.07.2026