

**ORDER BELOW APPLICATION (EXH.5) IN
MOTOR ACCIDENT CLAIM PETITION NO.223/2020**

Perused. Heard advocate for applicants. Opponent failed to appear despite paper publication. Hence, petition proceeded ex-parte against him. This is an application under Section 140 of the Motor Vehicles Act, 1988 seeking award for amount of Rs. 50,000/- under 'No Fault Liability'.

2. Considering the provisions of Section 140 of Motor Vehicles Act, 1988, while considering this application, the aspect of negligence is irrelevant.

3. The occurring of the accident in which late Pramod Baban Dhawle lost his life is seen from the documents filed on record. The document i.e. RC shows that the vehicle involved was driven by opponent and he is the owner of that vehicle.

4. Considering the facts and circumstances, applicants are entitled to award of an amount of Rs. 50,000/- towards No Fault Liability. Hence, the order-

O R D E R

- 1] The application (Exh. 5) is allowed.
- 2] The opponent shall pay an amount of Rs. 50,000/- to the applicants along-with

interest at the rate of 6% per annum from the date of filing of this application till realization of the amount.

- 3] Out of the said amount, Rs.20,000/- be paid to the applicant no.1 and Rs.10,000/- be paid to the applicant no.4 by issuing account payee cheque on due verification.
- 4] Out of said amount, amount of Rs.10,000/- each be invested in the name of applicants no.2 and 3 for a period for 3 years in any Nationalized bank till they attain age of majority.
- 5] Applicants to pay deficit court fees, if any.
- 6] Interim award be drawn up of accordingly.

Pune.

Date :26/09/2022

(J.G. Dorle)

Additional Member

Motor Accident Claims Tribunal, Pune.

CERTIFICATE

I affirm that the contents of PDF file Judgment are same word for word as per original Judgment.

Name of Steno : Shivaji N. Patil (Stenographer G-I)

Court name : Shri. J. G. Dorle
Additional Member
Motor Accident Claim Tribunal, Pune.

Judgment/Order delivered on : 26/9/2022

Judgment/Order signed by P. O. : 27/9/2022

Judgment/Order uploaded on : 27/9/2022