

Exh. 35

ISSUES

1. Whether the petitioners prove that when deceased Noor Mohammad Fateh Mohammad was riding motorcycle as a pillion rider, and the accident took place on 24.12.2017 near Gurukrupa Petrol Pump on Mumbra-Panvel road between his motorcycle and Tata Trailer No.RJ-19/GB-4911 and he received the injuries?
2. Whether the petitioners prove that deceased Noor Mohammad Fateh Mohammad succumbed to the injuries sustained in the accident?
3. Whether the petitioners prove that the said Tata Trailer No.RJ-19/GB-4911 was being driven rashly or negligently at the time of accident?
4. Whether respondent No.2 proves that there was breach of terms and conditions of the insurance policy?
5. Whether respondent No.2 proves the contributory negligence of rider of the motorcycle?
6. Are the petitioners entitled to the compensation? If yes, how much?
7. What order and award?

Date :-14.07.2025

Place :- Thane

Sd/-

(K. P. Shrikhande)

Extra Jt. District Judge & Addl. Sessions
Judge as Member, M.A.C.T., Thane.