

ORDER BELOW EXH. : 6 IN M.A.C.P. No.400 OF 2013.

1. The claimant has filed the present application under **Section-140 of the Motor Vehicles Act** to get interim compensation of **Rs.25,000/-** for the injuries sustained by him in the vehicular accident arising out of the use of the Motor Vehicle involved in the accident.
2. Read, the application. Perused the documents. Heard, the Ld.Advocates for the concerned parties.
3. The notices were duly served to the opponents. Neither the opponents are appeared before this Tribunal to challenge the contents of this petition nor they have filed written statement or objections to this petition.
4. I have perused the documents produced by the claimant viz., zerox copies of F.I.R., panchnama of scene of occurrence, driving licence of the opponent No.1, R.C.Book of the alleged vehicle i.e, Jeep bearing registration **No.GJ6-Z-3474**, Insurance Policy of the alleged vehicle bearing registration **No.GJ6-Z-3474**, discharge card of the hospital and disability certificate. Looking to the record of the case, it appears that the alleged vehicle was involved in the accident and due to said accident, the claimant has sustained injuries resulting into permanent partial disablement. Considering record, it also appears that all the requirements and ingredients mentioned in **Section-140 of the Motor Vehicles Act** have been satisfied. Moreover, at this stage, it is not necessary to prove as to whose fault, the accident has occurred, because, this claim is on the basis of '**No Fault Liability.**' Therefore, in my view, the claimant is entitled to get an interim compensation under **Section-140 of the Motor Vehicles Act**. Hence, I pass the following order.

-: ORDER :-

1. The present application is hereby allowed.
2. The opponents are hereby ordered to pay a sum of **Rs.25,000/- (Rupees Twenty Five Thousand Only)** to the claimant as interim compensation with running interest @ **9%** per annum from the date of filing of the present application till realisation.
3. The opponents are jointly and severally liable to pay the amount of compensation with interest payable on it. The opponents are also directed to deposit the aforesaid amount before this Tribunal within **ONE (1) MONTH** from the date of this order.
4. Out of deposited amount, **30%** be paid by an Account Payees Cheque in the name of claimant and remaining **70%** be deposited in the Nationalized Bank for the fixed period of **FIVE (5) YEARS.**

5. Necessary amount of Court Fees be deducted at the time of final award.

Signed and pronounced in the Open Court today on this 20th day of October, 2014.

Date : 20/10/2014

Place : Vadodara

(RAMESHCHANDRA.T.PANDYA)
M.A.C. Tribunal (Auxi.),
Vadodara.
Code No.GJ-00441.