

Rajbala & Another Vs Harpal Singh & Others

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HRRE010057442023



Presented on : 28-07-2023
Registered on : 28-07-2023
Decided on : 14-09-2024
Duration : 1 years, 1 months, 17 days

**IN THE COURT OF
Motor Accidents Claims Tribunal AT ,Rewari
Presided Over by Narender Pal**

MACP/413/2023

1. Rajbala W/o Kuldeep, aged 54 years,
2. Kuldeep S/o Roshan Lal, aged 57 years R/o village Hussainpur,
Tehsil and District Rewari

..... Claimants.

Versus

1. Harpal Singh S/o Hardayal Singh R/o VPO Pal District
Mahendergarh– (Driver of the offending vehicle
No.HR-66B/8954).
2. Babli w/o Satyavir R/o village Khatiws Tehsil and District Jhajjar-
(Owner of the above-said vehicle).
3. Sunil Kumar S/o Sher Singh R/o Dharirwas Tehsil and District
Jhajjar (Present Owner/supardar of offending vehicle No.HR-66B-
8954)
4. National Insurance Company Ltd., Delhi Road Rewari through its
Branch Manager – (Insurer of the above-said vehicle).

..... Respondents.

**Claim petition under Section 166 of The Motor Vehicles Act,
1988 (as amended upto date).**

Present: Sh. Kuber Singh, Advocate for the claimants.
Sh. Udai Singh, Advocate for the respondent no.4.-Insurance
Company.

AWARD

The claimants filed this petition under Sections 166 of The Motor Vehicles Act, 1988 seeking compensation on account of death of Lata daughter of Sh. Kuldeep in a motor vehicular accident caused on 10.07.2023 due to rash and negligent driving of vehicle bearing registration HR-66B-8954 by respondent no.1, owned by respondent no.2 and insured with respondent no.4.

2. The parties to the dispute amicably settled their claim before the National Lok Adalat. In full and final settlement of the claim of the claimants, the Insurance Company- respondent no.4 has offered to pay Rs.16,00,000/- and the said offer has been genuinely accepted by the claimants' counsel on their instructions. Joint statement of learned counsel for claimants and counsel for respondent no.4- Insurance Company in this respect has been recorded.

3. In view of the settlement/compromise arrived at between the claimants and respondent no.4, the petition is accordingly partly allowed,

and compensation of Rs.16,00,000/-(Rupees Sixteen Lakh only) is awarded to the claimants, which shall be payable to them by respondent no.4 within two months, failing which, the amount shall be recoverable along with interest at the rate of 7.5% per annum from the date of institution of the claim petition till payment.

4. Having regard to the relationship of claimants with the deceased and their probable life span, it is directed that compensation amount along with proportionate interests, awarded above, shall be disbursed amongst them in the following manner:-

- (a) Rs.10,00,000/- to claimant no.1-Rajbala- mother of deceased;
- (b) Rs.6,00,000/- to claimant no.2- Kuldeep-father of deceased.

5. It is directed that out of compensation awarded to claimants, 50% shall be paid to them directly in their bank account; whereas remaining sum of 50% is ordered to be deposited in separate FDR in any nationalized bank in their name for a period of two years, and during the year interest accrued on the said amount shall be payable to them time to time for their livelihood.

6. It is directed that Insurance Company will deposit the amount of compensation in the name of claimants either by way of account payee cheque or demand draft in this Tribunal within two months after intimation to the counsel for claimants. The claimants will submit the details of their bank accounts directly to the Insurance Company under intimation to this Court and the cheque/draft shall be released to the claimants on an application for release of cheque/draft.

7. Memo of costs be prepared accordingly, however, there is no

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order as to cost. File, after due compliance, be consigned to the records.

Pronounced.

Dated: 14.09.2024

(Narender Pal)

Motor Accidents Claims Tribunal,
Presiding Officer, National Adalat,
Rewari.

Note: All the pages of this Award have been checked and signed by me.

(Narender Pal)

Motor Accidents Claims Tribunal,
Presiding Officer, National Adalat, Rewari

Member

(Advocate Vikas)