IN THE MOTOR ACCIDENTS CLAIMS TRIBUNAL, KOTTAYAM
Present:- Sri. Prasun Mohan, Motor Accidents Claims Tribunal

Monday 6th day of October 2025
14th Aswina, 1947

O.P(MV) No. 965/2022

Petitioner/s:-

1. Johncy Abraham, aged 49, S/o E J Abraham, Elavunkal House, Pampadi Village, Pampadi Kara, South Pampadi P O, Kottayam Taluk, Kottayam-686521

2. Addl P2 Abiel Johnes, S/o Johncy Abraham, Elavunkal House, Pampadi P O, Pampadi South, Kottayam

3. Addl P3 Anona Rooba Johns, D/o Johncy Abraham, Elavunkal House, Pampadi P O, Pampadi South, Kottayam, Rep. by her brother Abiel Johnes

Addl P2, P3 are impleaded as per order in IA 3/25 dated 10.07.2025.

By Adv. P A Rabeez

Respondent/s:-

1. Biju Mon C K, S/o Kunjukunju, Chempankuzhiyil House, Pampadi Village, Pothenpuram P O, Kottayam-686502

2. Deepamol, W/o Biju, Chempankuzhiyil House, Cherumala P O, Meenadom, Kottayam-686516

3. Future General India Insurance Co. Limited, 3rd floor, Central Warehousing Corporation Building No. 2253, Maveli Road, Kadavanthra, Ernakulam-682020, Rep. by its Divisional Manager

R3 - By Adv. Agi Joseph

This petition having been finally heard on 06-10-2025 and the Tribunal on the same day delivered the following :-

A W A R D

1. This OP(MV) is filed for recovery of compensation from the respondents under Section 166 of the MV Act r/w Rule 371(1) of the Kerala Motor Vehicles Rules.

2.The matter is settled between the second and third petitioners and third respondent, insurer in mediation for **₹35,000/-** (Rupees Thirty Five Thousand Only) and a Joint memo is filed accordingly. The compromise is lawful, accepted and recorded.

3. Hence the third respondent do pay a compensation of **₹35,000/-** (Rupees Thirty Five Thousand Only) to the additional petitioners 2 and 3 within 45 days from the date of award and in default, the third respondent shall pay a simple interest @ 7% per annum on the principal amount to the petitioner. Additional petitioners 2 and 3 shall share the compensation amount in the ratio of 50:50.

(i) The third respondent do pay a compensation of **₹17,500/-** (Rupees Seventeen Thousand and Five Hundred Only) to the second petitioner within 45 days from the date of award and in default, the third respondent shall pay a simple interest @ 7% per annum on the principal amount to the petitioner.

(ii) The insurance company shall disburse the compensation amount payable to the claimant/second petitioner as directed in this award within a period of 30 days from the date of award by transfer crediting the said amount in the undermentioned bank account of the claimant(s) as follows:-

Account No. of the claimant(s) : **39948450091**
IFSC Code of the bank : **SBIN0071264**
Aadhar No. of the claimant(s) : **6365 8732 3618**
PAN No. of the claimant(s) **: CNSPJ6924M**

(i) As the third petitioner is a minor or otherwise disabled to open a bank account in the name of said petitioner(s), the guardian/next friend of the said claimant or the Chief Ministerial Officer shall open a fixed deposit account in the name of such claimant(s) under disablement for transfer of the compensation amount of **Rs.17500/-** (Rupees Seventeen Thousand and Five Hundred Only) to her account. Compensation amount deposited in the name of minor shall not be withdrawn until the minor attains majority or as and when directed by the Tribunal. That amount of compensation to be deposited as a FD of minor shall be transferred by the insurance company to the Tribunal through a DD or Electronic transfer/NEFT to the account of the tribunal.

(ii) A lien shall be marked on the face of the fixed deposit receipt in the name of the minor/third petitioner or any other claimant under disability and that amount shall be paid after the minor attains majority. The bank is directed to automatically renew the fixed deposits at periodical intervals, securing the maximum rate of interest and the CMO shall periodically monitor this aspect.

(iii) As and when the claimant(s) produces their bank account particulars in the Tribunal, the CMO shall take such steps required with the concerned bank authorities for verifying and ascertaining that the bank account(s) belongs to such claimant(s).

(iv) While furnishing bank accounts, it shall be ensured by the claimant(s) that no other person is included as a joint account holder in such bank account of the claimant(s).

(v) Upon depositing the compensation as directed above, the insurance company/respondent shall forthwith submit a memo regarding payment advice for remittance of compensation in the prescribed format (As contained in Circular No.1/2025 dated 19.09.2025 of the Hon’ble High Court) to the Tribunal.

(vi) A copy of the payment advice and memo regarding remittance of compensation shall be served by the Insurance company/respondent to the petitioner(s) or their counsels without fail.

(viii) Parties have to bear their respective costs.

(ix) Original Joint memo dated 15.09.2025 shall form part of this award.

(Dictated to the C.A, transcribed and typewritten by her, corrected and pronounced by me in open court on this, the 6th day of October, 2025).

Sd/-
Prasun Mohan
Motor Accidents Claims Tribunal

APPENDIX : NIL

Id/-
Motor Accidents Claims Tribunal

//True Copy//

Copied by:
Compd.by: **MOTOR ACCIDENTS CLAIMS TRIBUNAL.**

Copy of
Settlement Award in
OP(MV) No. 965/2022
Dated: 06.10.2025.