

**BEFORE NARENDER SURA, PRESIDING OFFICER,
MOTOR ACCIDENT CLAIMS TRIBUNAL, NARNAUL
(UID NO.HR-0124)**

(I)

HRNR010016492024



CIS No.MACP : 116-2024

Date of Institution : 19.03.2024

Date of Decision : 28.04.2026

1. Laxmi Devi wife of Anil Kumar, aged 35 years;
2. Manisha, aged 16 years, minor daughter of Anil Kumar
3. Amit, aged 17 years, minor son of Anil Kumar,
minors under Guardianship of her mother namely Smt. Laxmi Devi
wife of Anil Kumar.
4. Geeta Devi wife of Hanuman Prasad, aged 71 years, residents of
village Pilod, Tehsil Surajgarh, District Jhunjhunu (Rajasthan).

...Petitioners/claimants

Versus

1. Anil Kumar son of Dariya Singh, resident of village Damkora,
Tehsil Loharu, District Bhiwani (Haryana)
(Driver & owner of Car bearing registration No. HR18D-3526).
2. United India Insurance Company Limited, registered office 24,
Whites Road, Chennai-600014 through its Manager.

(Narender Sura),
Presiding Officer,
MACT/NNL 28.04.2026

(Insurer of Car bearing registration No. HR18D-3526).

... Respondents

(II)

HRNR010016482024



CIS No.MACP : 117-2024

Date of Institution : 19.03.2024

Date of Decision : 28.04.2026

1. Durga wife of Bhagirth Singh, aged 45 years;
2. Manish Singh, aged 16 years, minor son of Bhagirth Singh, under guardianship of his mother Smt. Durga wife of Bhagirth Singh.
3. Priyanka, aged 19 years, daughter of Bhagirth Singh;
4. Priti, aged 20 years, daughter of Bhagirth Singh;
5. Supyar wife of Nathu Singh, age 66 years;
6. Nathu Singh son of Bhanwar Singh, aged 71 years, resident of village Amarsingh Pura, Tehsil Surajgarh, District Jhunjhunu (Rajasthan).
7. Seema Rathor daughter of Bhagirth Singh, aged 23 years, resident of village Amarsingh Pura, Tehsil Surajgarh, District Jhunjhunu # wife of Raghubir Singh, resident of village Dev Gaon, Tehsil Navalgarh, District Jhunjhunu.

8. Sanju daughter of Bhagirth Singh, aged 25 years, resident of village Amarsingh Pura, Tehsil Surajgarh, District Jhunjhunu # wife of Balbir Singh, resident of village Dev Gaon, Tehsil Navalgarh, District Jhunjhunu.

...Petitioners/claimants

Versus

1. Anil Kumar son of Dariya Singh, resident of village Damkora, Tehsil Loharu, District Bhiwani (Haryana)
(Driver & owner of Car bearing registration No. HR18D-3526).
2. United India Insurance Company Limited, registered office 24, Whites Road, Chennai-600014 through its Manager.
(Insurer of Car bearing registration No. HR18D-3526).

... Respondents

Argued by:

For Petitioners in both petitions : Shri Satender Yadav, Advocate

For Respondent No.1 : Shri Parvinder Singh, Advocate

For Respondent No.2 : Shri Manoj Kumar Yadav, Advocate

CLAIM PETITIONS UNDER SECTION 166 OF MOTOR VEHICLES ACT, 1988

AWARD:

Vide this common award, this Tribunal is deciding the above mentioned claim petitions filed under Section 166 of the Motor Vehicles Act. The claim petition bearing MACP No. 116 of 2024 titled as 'Laxmi

Devi Versus Anil Kumar & others' has been filed by the petitioners for seeking compensation on account of death of Anil Kumar, who was husband of petitioner No.1, father of petitioners No.2 and 3 and son of petitioner no.4.

The claim petition bearing MACP No. 117 of 2024 titled as 'Durga and others' Versus Anil Kumar and others' has been filed by the petitioners for seeking compensation on account of death of Bhagirth Singh son of Nathu Singh, who was husband of petitioner No.1, father of petitioners No.2 to 4, 7, 8 and son of petitioners no.5 and 6.

2. Firstly, the facts of the case are taken from the main case bearing MACP No.116 of 2024 titled as 'Laxmi Devi and others Vs. Anil Kumar and others'. In this claim petition, while providing necessary particulars as required under the Motor Vehicles Act, 1988 and the Rules thereunder, the petitioners inter-alia alleged therein that on 22.2.2024, Anil Kumar (now deceased) and Bhagirth Singh (now deceased), son of Nathu Singh, resident of village Amarsingh Pura, Tehsil Surajgarh, District Jhunjhunu were enroute from Satnali to his village on their motorcycle after taking medicine from Dentist. It has been pleaded that they were driving their motorcycle at a moderate speed while observing traffic rules and when they crossed about two kilometers towards village Jawahar Nagar on Loharu Road, in the meantime, Car bearing registration no.HR18D-3526 came from opposite direction and it

was being driven by its driver/respondent no.1 at a very fast speed and in rash & negligent manner and in wrong side and hit their motorcycle, as a result thereof, Anil Kumar and Bhagirth Singh suffered serious and fatal injuries. It has been pleaded that this accident was witnessed by nearby field owners and passers-by and they informed about this accident to family members of Anil Kumar and Bhagirth Singh and on receiving information, Arun Kumar son of Nathu Singh reached at the place of accident and he shifted injured Anil Kumar and Bhagirth Singh to CHC, Satnali with the help of passers-by, where both of them were declared dead. It has been pleaded that thereafter Medical Officer of General Hospital, Mahendergarh conducted autopsy on the dead body of deceased Anil Kumar and Bhagirth Singh. It is further averred that this accident had occurred due to rash and negligent driving of the respondent No.1. It has been pleaded that in regard to the said accident, Arun son of Nathu Singh got registered FIR No.0024 dated 22.02.2024 for commission of offences punishable under Sections 279 and 304A IPC in Police Station Satnali.

It is further averred that Anil Kumar (now deceased) was earning ₹30,000/- per month from agriculture and dairy farming. It is further pleaded that ₹50,000/- was spent on transportation and last rites of Anil Kumar. It is further pleaded that Anil Kumar (now deceased) was 43 years of age and claimants claimed ₹50 lakh as

compensation on account of death of Anil Kumar in this vehicular accident.

3. In **connected claim petition** bearing MACP no.117 of 2024 titled as 'Durga Devi and others Versus Anil Kumar and others', same facts regarding the cause and manner of accident have been pleaded. It is averred that after the accident, Bhagirth Singh (now deceased) was taken to Civil Hospital, Satnali, where he was declared dead. It is further averred that petitioners spent ₹50,000/- on transportation and last rites of Bhagirth Singh. It is further pleaded that at the time of accident, Bhagirth Singh (now deceased) was 39 years of age and was earning ₹40,000/- per month from agriculture and dairy farming. It has been pleaded that petitioners have claimed ₹50 lakh as compensation on account of death of Bhagirth Singh in the vehicular accident.

4. On notice, respondent no.1 appeared and filed his written statement, wherein it is pleaded that claim petition is false, frivolous and vague and petitioners have no locus-standi to file the present petition. It is pleaded that on 22.02.2024, no such accident occurred in the revenue estate of village Jawahar Nagar, Loharu Road, Satnali and false FIR has been got lot lodged by the petitioners in collusion with local police. It has been pleaded that the vehicle bearing registration no.HR18D-3526 was not involved in any such accident.

It is further pleaded that in case, this Tribunal comes to the conclusion that accident was caused by respondent No.1 while driving vehicle bearing registration No.HR18D-3526 and petitioners are entitled to compensation, then respondent no.2/insurance company is liable to pay compensation as at the time of alleged accident, respondent No.1 was having valid driving licence and the vehicle was insured with respondent No.2. Remaining contents of the petition denied being wrong and dismissal of the petition has been prayed for.

5. Upon notice, respondent no.2/United India Insurance Company Limited, appeared and filed its written statement. It is denied that on 22.2.2024, any such accident had taken place within the jurisdiction of Police Station Satnali. It is admitted that FIR No.24 dated 22.2.2024 was registered for the commission of offences punishable under Sections 279 and 304A IPC in Police Station Satnali, but the contents of the FIR are wrong and denied. It is pleaded that Car bearing registration no.HR18D-3526 has been falsely involved in collusion of the petitioners with local police and if any accident had taken place, the same had occurred due to sole negligence of the deceased. It is pleaded that on 22.2.2024, respondent No.1 was not having any valid and effective driving licence and terms and conditions of the insurance policy were

contravened, hence insurance company is not liable to pay compensation. Remaining contents of the petition denied being wrong and dismissal of the petition has been prayed for.

6. In connected claim petition bearing MACP no.117 of 2024 titled as 'Durga Devi and others Versus Anil Kumar and others', respondents have filed separate written statements taking therein same stand regarding false implication and on merit, all facts have been denied and prayer for dismissal of the claim petitions have been made.

7. Above mentioned claim petitions were consolidated vide order dated 18.11.2024 and from the pleadings of the parties, following issues were framed:-

1. Whether the respondent no.1 was driving vehicle bearing registration no.HR-18D-3526 on 22.2.2024, at about 1:00/1:30 PM in rash and negligent manner and caused the accident in question and as a result thereof, Anil Kumar and Bhagirth Singh died due to the injuries suffered in this accident ? OPP
2. If issue No.1 is proved in affirmative, to what amount of compensation, the petitioners of both petitions are entitled to and from whom? OPP

3. Whether the vehicle bearing registration no.HR18D-3526 was being driven in contravention of terms and conditions of the insurance policy ? OPR

4. Relief.

8. To substantiate their case, petitioner No.1 of case titled 'Luxmi Devi and others Vs. Anil Kumar and others' appeared as PW1 and Durga (petitioner of the connected claim petition No.117 of 2024) herself appeared in the witness box as PW2 and also got examined Balmukund Sharma as PW3, Aklavya as PW4, Mohan Lal Sharma as PW5 and Arun Singh Rathore as PW6. Thereafter, learned counsel for the petitioners tendered documents Ex.P5 to Ex.P21 and closed the evidence on behalf of petitioners.

9. On the other hand, vide separate statement dated 21.1.2026, learned counsel for the respondent No.1 tendered document Ex.R1 to Ex.R3 and closed the evidence. Learned counsel for the respondent No.2 tendered document Ex.R4 and closed the evidence on behalf of respondent No.2 vide his statement dated 21.01.2026.

10. No evidence was led in rebuttal and learned counsel for the petitioners in both claim petitions closed rebuttal evidence by making statement on 28.04.2026.

11. I have heard learned counsel for parties and have gone

through the pleadings, the evidence and legal propositions applicable to the present case. My findings on the above issues are as under:-

ISSUE NO.1.

12. Burden to prove this issue was upon the claimants. Learned counsel for the claimants submitted that it is clear from the statements of PW5 Mohan Lal Sharma and the documents on record that this accident was caused due to sole negligence of the respondent No.1 while driving his Car bearing registration No.HR18D-3526 in a rash and negligent manner, so this issue may kindly be decided in favour of the claimants/petitioners.

13. On the other hand, learned counsel for the respondents contended that the claimants have failed to prove that the accident in question had taken place due to sole negligence of the respondent No.1, rather the accident in question had taken place due to fault of Anil Kumar (now deceased) and Bhagirth (now deceased) who were driving their motorcycles at a high speed and in a rash and negligent manner without following traffic rules. Learned counsel further submitted that from the evidence on record, it can be safely inferred that it was a case of contributory negligence. Learned counsels further submitted that no cogent evidence has been led by the claimants to prove issue No.1, so the claim petitions are liable to be dismissed on this point.

14. Mohan Lal Sharma (eye witness) stepped into the witness

box as PW5 and filed affidavit Ex.PW5/A in his evidence and deposed about the manner of the accident. He has specifically deposed that on 22.2.2024, when he was standing near his fields to cross the road, suddenly a Car bearing registration No.HR 18D-3526 came from Loharu side being driven by its driver/respondent no.1 at a very high speed and in a rash and negligent manner and hit from wrong side to the motorcycle of deceased namely Bhagirth and Anil Kumar, who were driving their motorcycle at a moderate speed. He further deposed that on account of this accident, they suffered serious and fatal injuries. He has specifically deposed that just after the accident, he noted down registration number of the offending vehicle and after inquiry, he informed the family members of deceased. During cross-examination, he deposed that at the time of alleged accident, he was working in his field. He further deposed that he witnessed the accident from distance of about 15-20 feet. He further deposed that he did not inform the police from the spot but police had reached along with Ambulance in his presence.

15. PW6 Arun Singh Rathore (author of the FIR) filed affidavit Ex.PW6/A in his evidence and deposed that on 22.2.2024, an accident took place with Bhagirath and Anil Kumar and just after the accident, passer-by namely Mohan Lal Sharma son of Mani Ram Sharma, resident of village Jawahar Nagar, Tehsil Satnali, District Mahendergarh informed him about the accident. He further deposed that on receiving information,

he reached at the spot and thereafter CHC, Satnali where Bhagirth and Anil Kumar were declared dead. He further deposed that thereafter he moved complaint against the offending vehicle In Police Station, Satnali and police lodged FIR NO.24 dated 22.2.2024 in Police Station Satnali for commission of offence punishable under Sections 279 and 304A of IPC.

16. As per record of the case, the claimants have placed on record final report under Section 173 Cr.P.C. (Ex.P6), which was filed by the police against Anil Kumar/respondent No.1. Ex.P7 is the copy of charge sheet vide which respondent no.1/accused has been charge sheeted for commission of offence punishable under Sections 279 and 304A of IPC. Ex.P13 is the copy of notice under Section 133 of Motor Vehicles Act, wherein it is written by Anil Kumar/respondent no.1 that on 22.02.2024, he was driving his vehicle No.HR18D-3526 at the time of accident.

17. In the case of Sudama Devi and others Versus Kewal Ram and others, 2008 (1) PLR 444, our own Hon'ble High Court has held that it is prima facie safe to conclude in claim cases that the accident had occurred on account of rash and negligent driving of the driver, if the driver is facing the criminal trial on account of rash or negligent driving.

18. As per the settled law, it is necessary to be borne in mind that strict proof of an accident caused in a particular manner may not be

possible to be done by the claimant. The claimant is merely to establish the case on the touchstone of preponderance of probability and the standard of proof beyond reasonable doubt could not be applied in these cases.

19. Considering the record and above discussion, it is held that the petitioners have proved that the accident has been caused by respondent No.1 while driving Car bearing registration No.HR18D-3526 at a high speed and in a rash and negligent manner, due to which Anil Kumar and Bhagirth sustained injuries and later on succumbed to the injuries sustained by them in the accident. Hence, this issue is decided in favour of the petitioners.

ISSUE No.2:

**(1) MACP No. 116/2024 titled
Laxmi Devi and others Versus Anil Kumar & Ors.**

20. In this case, compensation has been claimed on account of death of Anil Kumar wife of Hanuman Parsad in vehicular accident. Burden was upon the claimants to prove this issue. Learned counsel for the claimants submitted that claimants are entitled to get compensation on account of loss of dependency as Anil Kumar was 43 years of age on the date of his death and was earning ₹30,000/- per month from agriculture and dairy farming and further submitted that claimants were dependent upon him for their livelihood. Learned counsel prayed that just compensation may kindly be awarded in favour of the

claimants/petitioners.

21. Learned counsel for the respondent No.2/Insurance Company contended that claimant No.1 appeared as PW1, however she did not produce any document regarding work and income of her husband Anil Kumar (now deceased) and it was for the claimants to prove income of Anil Kumar (now deceased) as ₹30,000/- per month by leading cogent evidence.

22. Petitioner No.1-Laxmi Devi (wife of the deceased Anil Kumar) appeared as PW1 and filed her affidavit Ex.PW1/A, wherein she deposed that her husband was a farmer of about 47 ½ Bigha agricultural land (22 Bigha of Bal Mukund Sharma + 21 ½ Bigha of Eklavya Yadav and four Bigha of himself) and was earning ₹30,000/- per month and the petitioners were fully dependent upon him. She further deposed that due to sudden death of her husband, the claimants have been deprived from their love and affection. During cross-examination, she deposed that deceased was not maintaining the record of working and income.

23. To prove the income of Anil Kumar (now deceased) as ₹30,000/- per month, petitioners also got examined Balmukund Sharma as PW3 who tendered affidavit Ex.PW3/A and deposed that he along with his brother Ghanshyam are owner in possession of 22 bigha land situated in village Pilod and for the last five years, they are not doing the agricultural work rather the same was given on Maal Batai to Anil Kumar

son of Hanuman Parsad, who was ploughing the same. He also tendered documents E.P1 and Ex.P2. During cross-examination, he deposed that he has not brought any record showing contract between deceased Anil and him. He further deposed that he did not maintain any record regarding Mal Batai of his land. He further deposed that they have not executed any contract or agreement regarding Mal Batai of his agricultural land. PW4 Akelavya tendered affidavit Ex.PW4/A and deposed that he is owner in possession of 20 bigha land situated in village Pilod and for the last four years he has given his land on Maal Batai to Anil Kumar son of Hanuman Parsad. He also tendered documents Ex.P3 and Ex.P4. During cross-examination, he deposed that he has not brought any record showing contract between deceased Anil and him. He further deposed that he did not maintain any record regarding Mal Batai of his land. He further deposed that they have not executed any contract or agreement regarding Mal Batai of his agricultural land.

Considering the record of the case, this Tribunal is of the view that the claimants have failed to prove that Anil Kumar (now deceased) was earning ₹30,000/- per month, by leading cogent evidence.

24. Every State Government fixes minimum wages time to time and in case, income has not been proved by leading cogent evidence, in such cases, amount of compensation is to be assessed

by taking into account minimum wages. Accordingly, his income is to be assessed by taking him unskilled labourer. As per the case of the claimants, they are residents of Rajasthan and Anil Kumar was also earning his livelihood there and helping the family. Anil Kumar died on 22.02.2024 and on that date, as per Notification dated 13.12.2024 issued by Government of Rajasthan minimum wages of an unskilled labourer in Rajasthan, was fixed as ₹7,410/- per month. Accordingly, his monthly income is assessed as ₹7,410/- per month.

25. Claimants are entitled to get benefit of enhancement on account of future prospects while calculating the amount of compensation. In view of the law laid down in the case of National Insurance Company Limited Versus Pranay Sethi reported as (2017-4) 188 PLR 693 (SC), 25% of the assessed monthly income is to be added under the head of future prospects as age of Anil Kumar was 43 years at the time of accident, as per death certificate (Ex.P20) and as per certificate issued by Head Master of Government School, Pilod (Jhunjhunu) Ex.P21. Accordingly, after adding amount under the head of future prospects, his monthly income comes to ₹9,262/- per month.

26. Anil Kumar (now deceased) was married. As per record, Anil Kumar was husband of petitioner No.1, father of petitioners No.2 & 3 and petitioner No.4 is mother of deceased. Accordingly, petitioners are entitled

to get compensation on the death of Anil Kumar in the accident in question being his dependents. In view of the law laid down in Smt. Sarla Verma v. Delhi Transport Corporation 2009 (3) R.C.R (Civil) 77 (SC), 1/4th of the income of the deceased is to be deducted towards his personal expenses. After deducting, 1/4th, loss of dependency comes to ₹6,947/- per month and ₹83,364/- per annum.

27. Now coming to the question of multiplier. Age of Anil Kumar was about 43 years on the date of his death as per Certificate Ex.P21. In view of the laid down in the case of Smt. Sarla Verma's case (Supra), multiplier of '14' is to be applied and on applying multiplier of '14', the total loss of dependency comes to ₹11,67,096/-.

28. In view of the judgment in the case of **National Insurance Company Vs. Pranay Sethi (supra)**, claimants are also entitled to get ₹77,000/- in total under the heads for funeral expenses, loss of love and affection and loss of estate.

29. In total, ₹12,44,096/- is awarded in favour of the petitioners on account of death of Anil Kumar in the vehicular accident.

(1) MACP No. 117/2024 titled
Durga Devi and others Versus Anil Kumar & Ors.

30. In this case, compensation has been claimed on account of death of Bhagirth Singh son of Nathu Singh in vehicular accident. Burden was upon the claimants to prove this issue. Learned counsel for the

claimants submitted that claimants are entitled to get compensation on account of loss of dependency as Bhagirth Singh was 39 years of age on the date of his death and was earning ₹40,000/- per month from agriculture and dairy farming and further submitted that claimants were dependent upon him for their livelihood. Learned counsel prayed that just compensation may kindly be awarded in favour of the claimants/petitioners.

31. Learned counsel for the respondent No.2/Insurance Company contended that claimant No.1 appeared as PW2, however she did not produce any document regarding work and income of her husband Bhagirth Singh (now deceased) and it was for the claimants to prove income of her husband as ₹40,000/- per month by leading cogent evidence.

32. Petitioner No.1-Durga (wife of the deceased Bhagirath Singh) appeared as PW2 and filed her affidavit Ex.PW2/A, wherein she deposed that her husband was a farmer of about 60 Bigha agricultural land (40 Bigha of Keshar Singh+20 Bigha of Arun Singh and 20 Bigha himself) and was earning ₹40,000/- per month and the petitioners were fully dependent upon him. She further deposed that due to sudden death of her husband, the claimants have been deprived from their love and affection. During cross-examination, she deposed that deceased was not maintaining the record of working and income.

Considering the record of the case, this Tribunal is of the view that the claimants have failed to prove that Bhagirath Singh (now deceased) was earning ₹40,000/- per month, by leading cogent evidence.

33. Every State Government fixes minimum wages time to time and in case, income has not been proved by leading cogent evidence, in such cases, amount of compensation is to be assessed by taking into account minimum wages. Accordingly, his income is to be assessed by taking him unskilled labourer. As per the case of the claimants, they are residents of Rajasthan and Bhagirth Singh was also earning his livelihood there and helping the family. Bhagirth Singh died on 22.02.2024 and on that date, as per Notification dated 13.12.2024 issued by Government of Rajasthan minimum wages of an unskilled labourer in Rajasthan, was fixed as ₹7,410/- per month. Accordingly, his monthly income is assessed as ₹7,410/- per month.

34. Claimants are entitled to get benefit of enhancement on account of future prospects while calculating the amount of compensation. In view of the law laid down in the case of National Insurance Company Limited Versus Pranay Sethi reported as (2017-4) 188 PLR 693 (SC), 40% of the assessed monthly income is to be added under the head of future prospects as age of Bhagirth Singh was 39 years at the time of

accident, as per post mortem report Ex.P10. Accordingly, after adding amount under the head of future prospects, his monthly income comes to ₹10,374/- per month.

35. Bhagirth Singh (now deceased) was married. As per record, Bhagirth Singh was husband of petitioner No.1, father of petitioners No.2 to 4, 7 and 8 and son of petitioners No.5 and 6. Accordingly, petitioners are entitled to get compensation on the death of Bhagirth Singh in the accident in question being his dependents. In view of the law laid down in Smt. Sarla Verma v. Delhi Transport Corporation 2009 (3) R.C.R (Civil) 77 (SC), 1/5th of the income of the deceased is to be deducted towards his personal expenses. After deducting, 1/5th, loss of dependency comes to ₹8,300/- per month and ₹99,600/- per annum.

36. Now coming to the question of multiplier. Age of Bhagirath Singh was about 39 years on the date of his death as per PMR Ex.P10. In view of the laid down in the case of Smt. Sarla Verma's case (Supra), multiplier of '15' is to be applied and on applying multiplier of '15', the total loss of dependency comes to ₹14,94,000/-.

37. In view of the judgment in the case of **National Insurance Company Vs. Pranay Sethi (supra)**, claimants are also entitled to get ₹77,000/- in total under the heads for funeral expenses, loss of love and affection and loss of estate.

38. In total, ₹15,71,000/- is awarded in favour of the

petitioners on account of death of Bhagirth Singh in the vehicular accident.

ISSUE No. 3:

39. Burden to prove issue no. 3 was upon the respondent No.2 and it was to be proved that respondent no.1 was not having valid driving licence to drive the offending vehicle. Driving licence of respondent No.1/Anil Kumar is on record as Ex.R1. Learned counsel for respondent no.2 has not disputed the genuineness of the said driving licence and authorization of respondent no.1 to drive the offending vehicle on the date of accident. Learned counsel for the respondent No.2 has failed to prove this issue. Accordingly, it is held that respondent no.1 was having valid and effective driving licence to drive offending vehicle on the date of accident. Accordingly, issue no.3 is decided against respondent no.2.

40. As the offending vehicle was driven by respondent No.1 and owned by respondent No.1 vide RC Ex.R2 and insured with respondent no.2 vide insurance policy Ex.R3, so both **respondents** are held liable to pay the amount of compensation **jointly and severally** to the petitioners in both claim petitions.

Relief:

41. In view of above discussion and findings on the issues, the above mentioned claim petitions are partly allowed with costs. **In**

claim petition no. MACP 116 of 2022 titled as 'Laxmi Devi Versus Anil Kumar and others', total compensation of **₹12,44,096/-** is awarded in favour of petitioners on account of death of Anil Kumar. The compensation amount shall be shared by the petitioners in equal shares. Petitioners are also entitled to get interest @ 7.5% per annum from the date of petition till the date of realization of the amount. The amount of compensation shall be shared by them in equal shares. 70% of the amount awarded in their favour shall be deposited in FDRs in a nationalized bank for a period of five years and remaining amount will be released in cash or cheque.

The concerned banks will not advance any loan etc. on the said FDRs. In order to facilitate the easy release of the amount to the claimants that too without intervention of the court, it is ordered that the respondents will deposit the amount directly in the name of the claimants either by way of account payee cheque or demand draft in the Tribunal, which shall be released to the claimants on proper identification. The petitioners will submit the details of their bank accounts alongwith the application for release of the amount. It is also ordered that the amount due on maturity of the FDRs should be paid to the claimants directly by the concerned bank without the intervention of the court and the case number will be specified on the FDRs along with a complete note. The Ahlmad is directed to issue

necessary instructions at the relevant time.

42. In claim petition no. **MACP/117/2024** titled as ‘**Smt. Durga Devi Versus Anil Kumar and others**’, total compensation of **₹15,71,000/-** is awarded in favour of petitioners on account of death of Bhagirth Singh. The compensation amount shall be shared by the petitioners in equal shares. Petitioners are also entitled to get interest @ 7.5% per annum from the date of petition till the date of realization of the amount. 70% of the amount awarded in favour of petitioners no.1, 3 to 8 shall be deposited in FDRs in a nationalized bank for a period of five years and remaining amount will be released in cash or cheque. However, the compensation amount awarded in favour of the petitioner no.2-Manish Singh, who is minor shall be deposited in fixed deposit in his name till he attains the age of majority and after attaining the age of majority, the amount shall be released automatically in his favour without the intervention of the Court.

The concerned banks will not advance any loan etc. on the said FDRs. In order to facilitate the easy release of the amount to the claimants that too without intervention of the court, it is ordered that the respondents will deposit the amount directly in the name of the claimants either by way of account payee cheque or demand draft in the Tribunal, which shall be released to the claimants on proper

identification. The petitioners will submit the details of their bank accounts alongwith the application for release of the amount. It is also ordered that the amount due on maturity of the FDRs should be paid to the claimants directly by the concerned bank without the intervention of the court and the case number will be specified on the FDRs along with a complete note. The Ahlmad is directed to issue necessary instructions at the relevant time.

Counsel fee is assessed ₹ 5500/- in each case. It is also ordered that the claimants of both petitions will also be entitled to the fee paid to the court commissioner for recording the evidence and shall also form part of memo of costs. Memo of costs be prepared in each case. Files be consigned to record room.

Announced: 28.04.2026

(NK EA)

(Narender Sura),
Presiding Officer,
Motor Accident Claims Tribunal,
Narnaul (UID No. HR-0124)

Note: All 24 pages of this award have been checked and signed by me.

(Narender Sura),
Presiding Officer,
Motor Accident Claims Tribunal.