

MAC Case No.-51 of 2021
CNR No. WBUD01-000664-2021
J.O Code No. WB01238

Order No.47

Dated: 30.06.2026

The parties are present by filing separate haziras.

Today is fixed for delivery of judgement.

The judgment has been duly prepared and is pronounced in open Court. It consists of separate sheets comprising Pages 1 to 25 and shall form part of the record.

It is found that the court fees paid by the petitioner/claimants are deficient. The deficit court fees shall be deposited by the claimants before the Learned Tribunal prior to the delivery of the certified copy of this Award.

Hence, it is

O R D E R E D

Accordingly, the instant claim petition under Section 166 of the Motor Vehicles Act, 1988 is allowed *ex parte* against the opposite party no.1/Owner of the offending vehicle and on contest against the opposite party no.2/Insurer, but without costs.

The claimants do hereby get an Award of compensation amounting to Rs.19,66,800/- (Rupees Nineteen Lakh Sixty Six Thousand Eight Hundred) in total plus an amount of interest to be calculated on this amount at the rate of 6% per annum from 05.03.2021 till the date of actual realisation of the same.

The opposite party no.2/ The ICICI Lombard General Insurance Co. Ltd. is hereby directed to issue 4 (four) account payee cheque amounting to Rs.4,91,700/- (Rupees Four Lakh Ninety One Thousand Seven Hundred) in favour of the claimant nos.1 to 4 plus an amount of interest to be calculated on the aforesaid cheque amounts at the rate of 6% per annum from 05.03.2021 till the date of such payment within sixty days from the date of this Award, failing which, the claimants shall be at liberty to realize the same through the Court.

The claimants are directed to make payment of the balance/additional court fees, if not already paid, within a period of ten days from the date of this Award and it is made clear that only after payment thereof, this Award shall become operative.

After receiving the cheque issued in favour of the minor claimant no.2, the amount thereof shall be invested by the claimant no.1 in fixed deposit scheme(s) in the name of the claimant no.2 either in a nationalized

bank or in post office till the claimant no.2 attains the age of majority. After furnishing of documents by the claimant no.1 regarding making of such investment in the name of the claimant no.2, the cheque issued in favour of the claimant no.1 shall be handed over.

Let a copy of this Award be supplied free of cost to the claimants, subject to payment of the deficit/additional court fees, if any, and let another copy of this Award be handed over to the opposite party no.2/Insurer free of cost for carrying out the directions embodied in this Award.

The claimants shall be at liberty to put this Award into execution after sixty days, if it is not satisfied by that time.

The instant motor accident claim case accordingly stands disposed of.

At my dictation

Judge

District Judge, Uttar Dinajpur
-cum- Judge,
Motor Accident Claims Tribunal,
Raiganj, Uttar Dinajpur