In the Court of Anil Kumar, Motor Accident Claims Tribunal, Jind.

Claim Petition No. 38 of 06.08.2014

(I) Date of institution: 14.03.2014

Date of decision: 11.03.2016

- 1. Rajpati wife of late Phula Ram son of Karam Chand, resident of Ram Colony, Jind, Tehsil and District Jind. (Bank account No.65190027292 in SBOP, DRDA, Jind).
- 2. Krishan son of late Phula Ram, resident of Ram Colony, Jind, Tehsil and District Jind. (Bank account No. 65190027145 in SBOP, DRDA, Jind).

....Petitioners.

versus

- 1. Pardeep son of Ved Pal, resident of village Badshera, Tehsil and District Bhiwani. (Driver of Tralla bearing No. HR-46B-6266).
- 2. Jaipal son of Mange Ram, resident of House No.662 village and post office Karautha, District Rohtak. (Registered owner of Tralla bearing No. HR-46B-6266).
- 3. Reliance General Insurance Company Limited, Rohtak through its Branch Manager concerned. 9Insurer of Tralla bearing No. HR-46B-6266 insured vide cover note No. 3130000050738 w.e.f. 19.08.2012 to 17.08.2013).

....Respondents.

Claim Petition No. 39 of 06.08.2014

(II) Date of institution: 14.03.2014

Date of decision: 11.03.2016

Manoj Kumar son of Kashmiri Lal, resident of village Manoharpur, Tehsil and District Jind. (Bank account No.65190812181 in SBOP, DRDA, Jind).

....Petitioner.

versus

1. Pardeep son of Ved Pal, resident of village Badshera, Tehsil and

Rajpati etc. vs Pardeep etc.

District Bhiwani. (Driver of Tralla bearing No. HR-46B-6266).

2. Jaipal son of Mange Ram, resident of House No.662 village and post office Karautha, District Rohtak. (Registered owner of Tralla bearing No. HR-46B-6266).

3. Reliance General Insurance Company Limited, Rohtak through its Branch Manager concerned. 9Insurer of Tralla bearing No. HR-46B-6266 insured vide cover note No. 3130000050738 w.e.f. 19.08.2012 to 17.08.2013).

....Respondents.

Claim petitions u/s 166 of Motor Vehicles Act, 1988.

Present: Shri Ramesh Kumar, Advocate for petitioners.

Shri R.M. Sheokand, Advocate for respondents no.1 & 2.

Shri P.K. Batra, Advocate for respondent no.3.

Award:

These petitions have been brought under Section 166 of Motor Vehicles Act seeking compensation on account of the death of Phula Ram son of Karam Chand and injuries on the person of petitioner Manoj Kumar in a motor vehicular accident. Both the above said claim petitions have arisen out of the same accident, so in order to avoid over lapping of evidence and conflicting judgments, both these claim petitions were consolidated vide order dated 14.10.2014 and evidence was recorded in main claim petition titled 'Rajpati etc. Vs Pardeep etc.'; hence both these claim petitions are being disposed of by this common award.

2. It is the case of petitioners that on 02.07.2013 Surat Singh son of Karam Chand alongwith his brother Phula Ram (since deceased) and his nephew Sunil son of Kashmiri Lal after booking on rent the Crushier vehicle bearing No. HR-56-7408 of Sunil alias Sheela of his

(Anil Kumar), MACT, Jind village, were going to Shitala Mata Mandir, Gurgaon for worship and Sunil was driving the said vehicle. Two/three more people have to come and due to this they stopped the vehicle on Rohtak Road on katcha side, at some distance of Naka Gohana road, Jind and waiting for them. Phulla Ram (since deceased) was standing near the Crushier and all the remaining were sitting inside the same. At about 2.00 p.m., a Tralla bearing No. HR-46B-6266 being driven by respondent no.1 Pardeep at fast speed and in rash and negligent manner came from behind and struck with the abovesaid Crushier vehicle and caused the accident as a result of which Manoj Kumar and Phulla Ram received multiple serious injuries on their person. Other passengers who were sitting inside the Crushier also suffered injuries. The driver of abovesaid Tralla ran away from the spot after leaving the Tralla on the spot. Thereafter Phula Ram was brought to Jain Free Eye Hospital, Jind in a vehicle from where he was referred to PGIMS Rohtak but he died on the way to PGIMS, Rohtak. Thereafter the dead body was brought in Civil Hospital, Jind where the PMR of the dead body of Phula Ram was conducted. Thus due to the rash and negligent driving of respondent no.1, the said accident has occurred wherein Phula Ram died and Manoj Kumar suffered injuries on his person. A criminal case bearing FIR No. 527 dated 02.07.2013 u/ss 279, 337, 304-A IPC was registered against the respondent no.1 in police station City Jind for causing the abovesaid accident. It is further pleaded that deceased Phula Ram was 55 years of age at the time of his death. He was working as a

Painter thereby earning Rs. 15,000/- per month whereas petitioner Manoj Kumar has already spent more than Rs. 70,000/- on his treatment and a sum of Rs. 80,000/- has to be spent on further treatment and besides this he has also suffered great mental as well as physical pain and agony. Hence, it is pleaded that petitioners Rajpati etc. are entitled to Rs. 20,00,000/- as compensation on account of the death of abovesaid Phula Ram whereas petitioner Manoj Kumar is entitled to Rs. 10,00,000/- as compensation on account of the injuries sustained by him in the accident in question.

- Respondent no. 2 has objected the claim petitions by taking preliminary objections regarding maintainability, non-joinder and misjoinder of necessary parties as driver, owner and insurer of Crushier bearing No. HR-56-7408 are necessary parties but they have not been impleaded, cause of action and locus standi etc. On merits, the facts of petition were denied. It is further submitted that no such accident involving Tralla bearing No. HR-46B-6266 ever took place, rather the said vehicle been falsely implicated in this case at the instance of petitioners in collusion with the police. A false case was registered by police against the respondent no.1 and the petitioners have filed this claim petition just to extract false compensation amount from the answering respondent. Thus, it is prayed that claim petition qua the answering respondent may be dismissed.
- 4. It is pertinent to mention here that on 10.09.2014 Shri R.M.

Sheokand learned counsel for respondents no.1 and 2 suffered a statement that the written statement filed on behalf of respondent no.2 may kindly be read and considered on behalf of respondent no.1 as well and no separate written statement of respondent no.1 was filed.

5. Respondent No. 3 in its separate written statement resisted the petition with the preliminary objections that the present claim petition is not maintainable; the petitioner has no cause of action and locus standi to file the present petition. It is further submitted that the petitioners knowingly and intentionally mentioned the wrong and less age of the deceased in order to fetch false and exaggerated amount of compensation. In fact, the deceased was more than 65 years old and the age of petitioner no.1 is also more than 60 years. The petitioners have mentioned false occupation of the deceased that he was a Painter. In fact, the deceased was living his life as an old and retired man and was not doing any work of earning. In fact, the alleged accident is the result of rash and negligent driving of Crushier bearing registration no. HR-56-7408 by its driver who was not having any valid and effective driving licence and the contents of FIR also reveals that the alleged accident is the result of rash and negligent driving and parking/stopping of Cruiser Jeep bearing no. HR-56-7408 by its driver on the place not meant for parking. It is further submitted that the truck/tralla bearing No. HR-46B-6266 was not having an effective fitness certificate, registration certificate, route permit etc. and the same was being driven in contravention of the terms and Rajpati etc. vs Pardeep etc.

conditions of the insurance policy. The respondents no.1 and 2 have not produced the original insurance policy of above said truck/tralla till date and as such it cannot be ascertained that the said vehicle was insured with respondent no.3 or not. However, the truck/tralla bearing no. HR-46B-6266 is not an offending vehicle, rather the same is falsely involved in this case in collusion with the police by the petitioners only to grab false compensation amount from the answering respondent. Hence respondent no.3 is not liable to pay any compensation to the petitioners.

- 6. From the pleadings of parties following consolidated issues were framed on 14.10.2014:-
 - 1. Whether the accident in question was caused by respondent no.1 while driving Tralla bearing registration No. HR-46B-6266 in a rash and negligent manner causing death of Phulla Ram, injuries to petitioner Manoj Kumar and damage to vehicle of Sunil bearing No. HR-56-7408, as alleged? OPP.
 - If issue No.1 is proved, whether the claimants of both 2. the claim petitions are entitled to any compensation and if so, to what extent and from whom? OPP.
 - 3. Whether the petitioners have filed the petitions in collusion with respondents no.1 and 2? OPR-3.
 - 4. Whether the respondents no.1 and 2 had violated any term and condition of the insurance policy? OPR-3.
 - 5. Relief.
- 7. In order to prove their case, the petitioners examined as many as five witnesses. PW1 is Rajpati petitioner and her examination-in-chief is Ex.PW1/A, wherein she almost reiterated the averments as stated in the

petition, which need not be reproduced here just to avoid reproduction of facts. In her cross-examination she denied the suggestion that the accident as stated by her in Ex. PW1/A had never occurred. She is not drawing any old age pension. She has not brought any documentary proof regarding the age of her husband and of her. Her husband had retired from medical department after completing his service period. She denied the suggestion that at the time of alleged accident and death, her husband was more than 65 years old. She further denied the suggestion that the petitioners were not dependent upon the deceased or that he was not doing work of painter and was not earning Rs. 15,000/- per month. She admitted to be correct that she had not witnessed the accident.

- 8. PW2 is Sunil and his examination-in-chief is Ex.PW2/A, wherein he almost reiterated the averments as stated in the petition, which need not be reproduced here just to avoid reproduction of facts. In his cross-examination he stated that he was present on the spot on that day. He was standing at the back of the cruiser and did not suffer any injury. He denied the suggestion that Phula Ram was about 68/70 years old or that he was not doing any work of painting and was not earning Rs. 15,000/- per month. He further denied the suggestion that Phula had not died in this accident nor any person sustained any injury in this accident. He also denied the suggestion that the accident as stated by him has not occurred.
- 9. PW3 is Manoj Kumar claimant and his examination-in-chief

is Ex.PW3/A, wherein he almost reiterated the averments as stated in the petition, which need not be reproduced here just to avoid reproduction of facts. In his cross-examination he stated that he is 4th Class employee in BSF and getting Rs. 29,000/- per month as salary. He denied the suggestion that the alleged accident is the result of wrong parking of the jeep or that he has not received any injuries in the alleged accident or that he has not been operated and no rod is inserted in his leg. He further denied the suggestion that he is hale and hearty or that he has not suffered any loss. He is not having any documentary proof spending Rs. 1,00,000/- on medicines or that he has to spend Rs. 50,000/- more on his treatment. He has not claimed any amount from any employer on account of his alleged expenses. He further denied the suggestion that he has not suffered any mental pain and agony.

- 10. PW4 is Dr. Susham Lata who tendered her affidavit Ex. PW4/A in evidence and further proved PMR Ex. PW4/B of Phula Ram and also identified the signatures of Dr. R.S. Punia on MLR Ex. PW4/C.
- 11. PW5 is Dr. Banish Garg who stated that patient Manoj was admitted in their hospital on 05.07.2013 and was treated there. He proved treatment record of injured Manoj i.e. admission slip Ex. PW5/A, discharge slip Ex. PW5/B, follow up treatments Ex. PW5/C and Ex. PW5/D.
- 12. PW6 is ASI Virender Singh who proved FIR Ex. PW6/A.

 The petitioners also adduced documentary evidence in the form of

documents/bills Mark-P1 to Mark-P37 and thereafter evidence of petitioners was closed.

- 13. On the other hand, the respondents no.1 and 2 also led documentary evidence in the form of documents Ex. R1 to Ex. R3 and thereafter evidence of respondents no.1 and 2 was closed by their counsel vide separate statement.
- 14. The respondent no.3 examined Ajay Sharma as RW1 who tendered his affidavit Ex. RW1/A in evidence besides documents Ex. R4 to Ex. R14 and photo copy of already exhibited driving licence Ex. R1, as Mark-RA in his evidence. Thereafter evidence of respondent no.3 was closed.
- 15. I have heard learned counsels for the parties and have gone through the record on file carefully. My issue-wise findings are as under:
 ISSUE NO.1:
- 16. The evidence led by the claimants has gone unrebutted and unchallenged nor there is any circumstance on the file to disbelieve the same more particularly when respondents No.1 and 2 in their written statement have taken a categorical stand that no such accident had ever taken place with truck/tralla bearing registration No. HR-46B-6266 and a false case was registered against respondent No.1. In these circumstances, it was incumbent upon the respondent no.1 to examine himself to refute the statements of Rajpati PW1, Sunil PW2 and Manoj Kumar PW3 as well as the contents of FIR Ex.PW6/A wherein registration number of the

offending truck/tralla is mentioned, but he did not dare so for the reasons best known to him, which requires to draw an adverse inference against him that he did not adopt any such exercise intentionally and deliberately, knowing well that he would not be able to face the test of his cross-examination being guilty in his mind for causing this accident. Reference in this regard may also be made to the observations made by the Hon'ble Apex Court in I (SC) wherein it has been held that where a party does not enter in the witness box to make statement on oath in support of his pleadings, then adverse inference would be drawn that what it has stated in the pleadings, is not correct.

- 17. Moreover, copy of FIR is available on the record, wherein the registration number of the offending vehicle finds mentioned and said FIR has not been challenged by the respondent no.1 in any manner. More so, registration of FIR and submission of challan by the police in the court after collecting evidence against respondent No.1, prima facie further prove involvement of the vehicle in question and causing of the accident by respondent No.1 while driving it in a rash and negligent manner. Reliance can be placed on the observations made by our own Hon'ble High Court in (1993-2) PLR 109 Girdhari Lal Vs Radhey Sham and Others.
- 18. In view of discussion above, finding no other option, it is

held that the accident in question occurred due to rash and negligent driving of truck/tralla bearing registration No. HR-46B-6266 by respondent No.1. Accordingly, this issue is decided in favour of claimants and against the respondents.

ISSUES No. 2 to 4:

- 19. All these issues are inter-connected, hence, they are taken up and dealt with together.
- 20. Learned counsel for the petitioners submitted that in this accident Phula Ram died due to the injuries suffered by him and he was a Painter by profession thereby earning Rs. 15,000/- per month. He further argued that at the time of his death, Phula Ram was 55 years of age and the petitioners being his legal representatives are entitled to receive the compensation amount. He also submitted that an amount of Rs. 20,000/- was spent on transportation and last rites of the deceased. He submitted that as per law laid down in Smt. Sarla Verma and others vs. Delhi Transport Corporation and Anr. 2009(3) RCR (Civil) 77, said Phula Ram is entitled to multiplier of '11'. So, the petitioners are entitled to Rs.20 lacs as compensation on account of the death of said deceased.

(I) Rajpati etc. vs Pardeep etc.

21. Phula Ram died in this accident and petitioners Rajpati and Krishan claimed compensation on account of his death being his widow and son respectively. At the time of assessing compensation, the Tribunal has to see income and the age of deceased. It has been pleaded that

Phula Ram was 55 years of age at the time of his death and he was earning Rs.15,000/- per month by the profession of Painter. Though there is no conclusive proof showing his income to be Rs.15,000/- per month, however, nowadays even a labourer does not earn less than Rs. 8,000/- per month, therefore, the notional income of the deceased is assessed at Rs.8,000/- per month and as such his annual income comes to Rs.96,000/-. The deceased was married. The petitioners are widow and son of the deceased who are two in number, hence 1/3rd of the earnings of the deceased are to be deducted towards personal expenses and remaining 2/3rd share shall be considered as loss of dependency to the petitioners. So, after deducting 1/3rd as his personal expenses, his contribution towards his family comes to Rs.64,000/- per annum. The PMR Ex. PW4/B reveals that the deceased was 60 years of age at the time of his death. So, just and reasonable multiplier in this case is '9' and amount of compensation comes to be Rs. $64,000 \times 9 = \text{Rs.}5,76,000/\text{-}$. The petitioner No.1 Rajpati would also be entitled to additional sum of Rs.1,00,000/- for loss of consortium and both the petitioners would further be entitled to Rs.1,00,000/- for love and affection besides Rs. 14,000/- towards performance of last rites as so ruled by Hon'ble Supreme Court of India in case titled as Rajesh and others vs. Rajbir Singh and others 2013(3) **RCR (Civil) 16.** In this manner, petitioners Smt. Rajpati etc. would be entitled to total compensation of (Rs. 5,76,000 + 1,00,000 + 1,014,000) = Rs.7,90,000/-.

(Anil Kumar), MACT, Jind

(II) Manoj Kumar vs Pardeep etc.

22. Petitioner Manoj Kumar also received injuries in this accident. In so far as petitioner Manoj Kumar is concerned, he while appearing as PW3 has stated that initially he was brought in Civil Hospital, Jind where his MLR Ex. PW4/C was conducted but due to seriousness of his injuries and fractures, he was referred to PGIMS, Rohtak, however, he was admitted in Jain Dharmarth Hospital, Jind where he was operated upon and a rod was inserted in his leg. He further stated that he has not recovered fully till date and has already spent more than Rs. 1,00,000/- on medicines whereas a sum of Rs. 50,000/- at least will have to be spent on further treatment and medicines. He further stated that he is doing job in BSF but due to the injuries sustained in the accident he is unable to to his job properly and his income has been lowered down to great extent and he is also suffering loss of at least Rs. 80,000/- per annum. The bills of his treatment placed on the file are Mark-P1 to Mark-P37 worth Rs.44,937/- which also includes the charges for stay in hospital. Although the said medicine bills are not proved in accordance with law, yet taking into consideration the nature of injuries suffered by petitioner Manoj Kumar and particularly in view of the fact that he sustained fracture and plaster was applied for four weeks and was also advised bed rest for four weeks as is clear from the statement of PW5 Dr. Banish Garg, I am of the view that the medicine bills produced by the petitioner incurring Rs. 44,937/- on his treatment seems to be reasonable.

So, he is awarded Rs. 45,000/- on account of medical expenses. The petitioner also suffered accute pain and he is awarded Rs. 20,000/- for pain and sufferings besides Rs. 10,000/- for special diet. Thus, the compensation awarded to petitioner Manoj Kumar, put in a tabular form is given as under:-

Sr.No. Nature		Amount in Rupees.
1.	Pain & sufferings,	20,000-00
2.	Special diet	10,000-00
3.	Medical expenses	<u>45,000-00</u>
	Total	Rs. <u>75,000-00</u>

23. Sh. P.K. Batra learned counsel for the Insurance Company i.e. respondent No.3 vehemently contended that driving licence produced by respondent No.1 and 2 is a fake document. Elaborating his arguments, he submitted that RW-1 Ajay Sharma sought information under Right to Information Act, 2005 regarding genuineness and validity of Driving License No. 32504/TV/T/2012 dated 14.03.2012 possessed by driver of offending vehicle at the time of accident, which found fake as no record was available pertaining to said driving license with transport authority, Nagaland. He further argued that Ex. R7 is the certified document obtained under Right to Information Act, 2005 and, therefore, the same is admissible as secondary evidence. He further urged that it manifests from certified document Ex. R-7 sought under RTI Act 2005 the driving licence produced by the respondent No. 1 and 2 is a false document and it

amounts to breach of terms and conditions of the insurance policy pertaining to Truck No. HR-46B-6266, so respondent No. 3 is not liable to pay any compensation to the petitioners. He relied upon the case law authorities reported as Narayan Singh vs Kallaram @ Kalluram Kushwaha and Others Writ Petition No. 7860/2014 and Suresh Kumar vs Cholamandalam MS General Insurance Co. Ltd. and Others FAO-1623-2014 (O&M) decided on 21.03.2014.

- On the contrary, Shri R.M. Sheokand learned counsel for respondents No.1 and 2 submitted that certified copy of documents obtained under RTI Act, 2005 are not perse admissible in evidence. He further submitted that respondent No.2 owner of offending Tralla bonafidely believed that driving licence possessed by respondent No. 1 during his employment was valid and effective driving licence. Further, driving licence of respondent No.1 Pardeep was got renewed upto 03.04.2016 vide Ex. R-10 by District Transport Officer, Tuensang, Nagaland. It fortified their claim that Driving License Ex. R-1 is valid and effective driving licence and respondent No.3 cannot be absolved from its liability to pay compensation merely by producing certified copy of said document obtained under RTI Act, 2005 unless some responsible official is examined from the concerned issuing authority of Nagaland.
- 25. In instant case, insurer intends to disown its liability to pay compensation on the ground of fake licence possessed by driver of offending vehicle at the time of accident. The proposition of law is no

longer res integra that the person who alleges breach must prove the same. The insurance company is, thus, required to establish the said breach by cogent evidence. In the event, the insurance company fails to prove that there has been breach of conditions of policy on the part of the insured, the insurance company cannot be absolved of its liability. In this case, insurer heavenly relied on certified document Ex. R-7 to prove that driving licence Ex. R-1 is fake and forged licence. A bare perusal of Ex. R7 shows that no record pertaining to said licence is available/found with District Transport Officer Tuensang Nagaland. Therefore, it does not conclusively proves that said driving licence was not ever issued by the authority or it is forged as information through RTI simply reveals that they did not find/have record relating to said driving license. This information is ambiguous one and not certain. The evidence of RW-1 would not come in rescue of insurer as Ajay Sharma RW-1 himself admitted in his cross-examination that he neither checked the record of driving licence of Pardeep nor sent any surveyor to check physically the record of driving licence in question. On the other hand document Ex. R10 reveals that driving licence Ex. R-1 of Pardeep was renewed by concerned authority. Therefore, it was incumbent upon the insurer to summon the concerned official from the District Transport of Tuensang, Nagaland to clarify and prove that driving licence Ex. R-1 was not issued by their department and seal as well sign are forged. However, respondent No.3 insurer simply insisting upon the certified document Ex. R-7 to

prove that the driving licence of respondent No.1 was fake, which is in consequent in the absence of evidence of official of the office of the concerned Licensing Authority. Even otherwise, certified copy Ex. R-7 of information under RTI is not per se admissible as it can be adduced in the evidence as secondary evidence as per provisions of Evidence Act.

- others 1999 ACJ 1262 PH (DB) it has been held that the report to establish that the driver was having no valid licence cannot be read in evidence when no witness from the Office of the Licensing Authority was examined to prove that report. No contrary judicial precedent is produced by insurer. Therefore, respondent No.3, Insurance Company, has not been able to establish that respondent No.1 Pardeep was having the fake driving licence at the time of accident in question. Further, the insured willfully or intentionally used or caused or permitted to be used the offending vehicle in breach of the Motor Vehicle Act, 1988 which resulted into violation of terms and conditions of insurance policy. Thus, respondent No. 3 i.e. Insurance Company cannot escape from the liability.
- 27. Moreover, at the time of accident, the truck/tralla bearing registration no. HR-46B/6266 was insured with respondent no.3 as is clear from insurance policy Ex. R9 whereas copy of RC Ex. R3 reveals that respondent no.2 Jaipal is registered owner of the same. Further, photo copy of driving licence of respondent no.1 Ex. R1 is on the file, which is valid upto 13.04.2016 whereas the accident in question took place on

02.07.2013. In these circumstances, it is held that on the date of accident, respondent no.1 was holding valid and effective driving licence. Hence, it is observed that respondent No.1 being driver; respondent No.2 being owner and respondent No.3 being insurer of the offending truck/tralla bearing no. HR-46B-6266 are tortfeasor in causing the death Phula Ram as well as injuries on the person of petitioner Manoj Kumar, therefore, all the respondents are jointly and severally liable to pay the amount of compensation to the petitioners. Hence, all these issues are decided accordingly in favour of the petitioners.

Relief:

- As a result of above discussion, both the claim petitions are partly allowed with costs. A sum of Rs. 7,90,000/- is awarded as compensation to petitioners Rajpati and Krishan in claim petition titled as 'Rajpati etc. vs Pardeep etc.' which shall be received by them in equal shares. A sum of Rs. 75,000/- is awarded as compensation to petitioner Manoj Kumar in claim petition titled as 'Manoj Kumar vs Pardeep etc.'
- 29. Respondent No.1 being driver; respondent No.2 being owner and respondent No.3 being insurer of the offending truck/tralla bearing registration No. HR-46B/6266 shall be jointly and severally liable to pay the amount of compensation to the petitioners. The petitioners shall be entitled to claim interest @ 9% per annum from the date of institution of claim petitions till realization of award amount.
- 30. On realization of the amount, Rs.1,00,000/- each shall be

Rajpati etc. vs Pardeep etc.

given to petitioners Rajpati and Krishan in cash while their remaining

share with interest up to date shall be deposited in their names in any

nationalized bank in a scheme fetching maximum interest for three years.

Whereas the entire amount of compensation awarded to petitioner Manoj

Kumar be given him to in cash. The respondents shall deposit the

the accounts of petitioners on supplying bank account

numbers by the petitioners to them. The petitioners and respondents would

also supply certified copy of this award to the concerned Bank Manager,

who shall strictly comply with the directions contained in the award. The

counsel fee is assessed at Rs. 1500/- in each petition. Certified copy of

this award be placed on the file of other connected claim petition. Memo

of costs be prepared accordingly in each petition and thereafter the files be

consigned to the record room.

Announced in open court.

Dated: 11.03.2016.

(Anil Kumar) Motor Accident Claims Tribunal,

Jind.

All the nineteen pages of this award have been checked and Note:-

signed by me.

(Anil Kumar) Motor Accident Claims Tribunal,

Jind.

(Anil Kumar), MACT, Jind