IN THE COURT OF MOTOR ACCIDENT CLAIMS ‘ TRIBUNAL, RUPNAGAR Krishna Devi aged about 69 years wife of Swarna igh son of Swarna Meena Kumari wife of late Sh. Gurmail Nitish Kumar son of Late Sh. Gurmail Singh son of ’Swarna Shivani Naphri D/o Late Sh. Gurmail Singh son of Swarna Vishali minor D/o Late Sh. Gurmail Singh son of Swarna through her mother and natural guardian Smt. Meena Kumari All residents of Ward NO. 7, village Khad Samtehan, PO Gawal Thal, Tehsil Shri Naina Devi Ji, District Bilaspur (HP) Claimants VERSUS M/s Ganga Stone Crusher through its sole Prop. Er. R.S. Kanwar resident of 402, Raj Nagar, Nangal Township, Tehsil Nangal, District Rupnagar.(Owner of tipper bearing registration No. PB-12~ M-9609) Satpal son of Piara Singh resident of village Meghpur, Tehsil Nangal, District Rupnagar. (Driver of the tipper bearing registration No, PB-12-M-9609) Bajaj Allianz General Insurance Company Ltd. Having Branch office at SCO No.156, 159, 2" Floor, Madhya Marg, Sector 9-C, Chandigarh through its Branch Manager. (Insurance Company of the tipper bearing registration No. P8-12-M-9609). ..Respondents Claim petition U/s 166 of the M.V. Act. as amended upto Date. Sir, We, the above named claimants do hereby apply for the grant of compensation in respect of the death of Gurmail Singh son of Swarna occurred in a motor Vehicle accident necessary particular in t respect of the death and Vehicle undér:- Involved in the accident etc. are as [7 Name and father's name of [the deceased Gurmail Singh son of Swarna   
2. Age of the deceased. 48 years |   
3. Full address of the person Deceased Ward NO, 7, village Khad Samtehan, | | PO Gawal Thai, Tehsil Shri Naina Devi Ji, District Bilaspur (HP) \*   
4. Occupation of the Person deceased The deceased was posted as Assistant Lineman in the office of Senior X-en/OP Bhakhra PP- u ‘   
3. Name the address of the employer of the |\_\_ person deceased ‘Senior X-en/OP Bhakhra PP-II   
6. Monthly income of the person deceased Rs. 50,000/- P.M. 7, Whether the deceased pay income tax. Yes   
8. Date, place and time of accident | Distt. Rupnagar. 4 On 27-05-2019 at about 8:00PM, at village Talwara Tehsil Nangal,   
9. Name and address | of the Police Station in | whose Jurisdiction the | accident taken place Police tion Nangal   
10. Was the person in respect of whom compensation claimed traveling by motor vehicle involved in accident if so give details Yes, the deceased was on his| motorcycle bearing No. PB-12-| U-8980 and was going from Nangal to his village. 11, Nature of injuries sustained in the accident. Received multiple and grievous | injuries and died at spot. 12, Name and address of the medical officer /doctor who attended the deceased and conducted postmortem. The doctors of BBMB Hospital Nangal, conducted the postmortem of the deceased on 28-05-2019.   
13. Period of Treatment and medical expenses incurred thereon. The claimants spent more than] Rs §0,000/-. on \_—the transportation and last rites of | deceased.   
14. Registration number And type of vehicle in involved in the Tipper No. PB-12-M-  
9609.~ accident Name and address of the owner of the motor vehicle involved in the accident. The respondent No.1   
76. Name and address of The insurance company if any. The respondent No.3   
77. Name and address of the claimant. As fully described in the head note of the claim petition   
16. Titled to the property Of the person deceased Being legal heirs and dependents of deceased Gurmail Singh. 79, Relationship with the Person deceased. Claimant No 7 is the mother, claimant No.2 is widgw and the claimant No.3 to 5 are the son and daughters of the deceased| respectively.   
20. Has any claim been lodged with the owner/insurer (No. this is first claim petition   
21.Amount of compensation claimed Rs. 1,00,00,000/-(One Crore)   
22. Any other information that may be necessary or helpful for the disposal of the claim Petition The deceased was only and sole | bread winner of the family and now due to his death the future | - of the claimants has fell into a dark and now they have no| source of income as they were | totally dependent on the income | of the deceased. The claimants | have also lost the love and 4 affection of the deceased   
23. Reasons or ground for \_|No, the claim petition is well the late submission of \_ | within time. the claim.   
24. Cause of Accident with brief facts of the case. That on the fateful day of 27-05-2019, the deceased was going to his house from Nangal on his motorcycle bearing No. PB-12-U-8980 which was driven by the deceased in proper care and by observing all the traffic rules and when at about 6:00PM the deceased reached near the Kamla Tile Industry village Talwara then he collided with the tankeritipper bearing No. PB-12-M-9609 which was parked on the road without any parking lights or indicators. Due to said collusion the deceased fell down on the road and received grievous injuries on his head and died at the spot. The deceased was immediately taken to BBMB Hospital Nangal by his brother who was also coming behind the deceased on his separate, motorcycle bearing No. PB-12-R-5602, but the doctors of BBMB Hospital Nangal has declared Gurmail Singh brought dead. The postmortem of the deceased was conducted by the docots of BBMB Hospital on 28-05-  
2019. . That the said accident entirely took place due to the wrong patking of the tipper bearing No. PB-12-M-9609 by its driver ie. respondent No.2 which was wrongly parked by the respondent No.2 without any parking lights or any indicator. That the accident was witnessed by Hajara Singh son of Swarna brother of the deceased and on the statement of Hajara Singh an FIR No. 0037 dated 28-05-2019 under section 283, 304-A, 427 IPC was registered against the respondent No. 1 in PS Nangal. Therefore the respondents are jointly and severally liable to pay the compensation to the claimants. It is pertinent to mention here that earlier the number of the offending vehicle wes wrongly mentioned in the FIR as PB-12-NV-9605 as the complainant was the brother of the deceased and due to death of his brother, he was under ‘extreme shook. Due to said fact, he has wrongly mentioned the number as PB;12-M-9605 in place of PB-12-V¥-9608, which was later on corrected by the complainant Hajara Singh by giving the statement to the police. It is therefore respectfully prayed that claim petition be accepted and compensation to the tune of Rs. 1,00,00,000/- (Rs. One Crore) plus Rs. 50,000/- on last rites and Bhog Ceremony may kindly be awarded to the claimants alongwith interest @ 12% P.A. from the date of accident til fs realization, in the interest of justice. Submitted by; : Dated: 1-\_ Krishna Devi wife of Swarna 2 Meena Kumari wife of late Sh. Gurmall ‘Singh son of Swarna 3+ Nitish Kumar son of Late Sh. Gurmail Singh = son of Swarna Shivani Naphri D/o Late Sh. Gurmail Singh son of Swarna 5+ Vishali minor D/o Late Sh. Gurmall Singh son of Swarna through her mother and natural guardian Smt. Meena Kumari - {All residents of Ward NO. 7, village Khad Samtehan, PO Gawal Thai, Tehsil Shri Naina Devi 2, District Bllaspur (HP), Through Counsel ay ini Apa! = Nish phen Misha teh? VERIFICATION: Verified that the contents of paras 1 to 24 of the claim petition are true and correct to the best of my knowledge. . Verified and signed at Rupnagar On: Claimants 4