IN THE COURT OF MOTOR ACCIDENT CLAIMS  
, TRIBUNAL, RUPNAGAR  
  
   
  
1- Krishna Devi aged about 69 years wife of Swarna  
¢1 2- Meena Kumari wife of late Sh. Gurmail Singh son of Swarna  
i 3- \_Nitish Kumar son of Late Sh. Gurmail Singh son of Swarna  
4- Shivani Naphri D/o Late Sh. Gurmail Singh son of Swarna  
5- Vishali minor D/o Late Sh. Gurmail Singh son of Swarna through  
her mother and natural guardian Smt. Meena Kumari  
a All residents of Ward NO. 7, village Khad Samtehan, PO Gawal  
  
Thai, Tehsil Shri Naina Devi Ji, District Bilaspur (HP)  
Claimants  
  
   
  
VERSUS  
Ls 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)  
  
= ‘es Satpal son of Piara Singh resident of village Meghpur, Tehsil  
. Nangal, District Rupnagar. (Driver of the tipper bearing registration  
  
a No. PB-12-M-9609)  
Be Bajaj Allianz General Insurance Company Ltd. Having Branch office  
at SCO No.156, 159, 2%4 Floor, Madhya Marg, Sector 9-C,  
Chandigarh through its Branch Manager. (Insurance Company of  
  
the tipper bearing registration No. PB-12-M-9609).  
Respondents  
  
   
  
Claim petition U/s 166 of the M.V. Aci.  
i ‘ 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  
1  
i  
  
   
  
   
  
respect of the death and Vehicle  
  
undér:-  
  
involved in the accident etc. are as  
  
   
  
4. 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  
  
   
  
5. 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 .  
  
9. Name and address  
of the Police Station in  
whose Jurisdiction the  
accident taken place.  
  
On 27-05-2019 at about 8:00PM,  
at village Talwara Tehsil Nangal,  
Distt. Rupnagar. \_—\_—-  
Police Station Nangal.  
  
   
  
10. Was the person in  
respect of whom  
compensation claimed  
traveling by motor  
vehicle involved in  
accident if so give  
details.  
  
|11. Nature of injuries  
  
sustained in the  
accident.  
  
Yes, the deceased was on his  
motorcycle bearing No. PB-12-  
U-8980 going  
Nangal to his village.  
  
and was from  
  
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.  
  
Nangal, conducted the  
postmortem of the deceased on  
28-05-2019.  
  
The doctors of BBMB Hospital |  
  
   
  
13. Period of Treatment  
and medical expenses  
incurred thereon.  
  
The claimants spent more than  
Rs 50,000/- 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. .  
3  
  
   
  
accident  
  
   
  
/15. Name and address of  
the owner of the  
motor vehicle  
involved in the  
accident.  
  
The respondent No.1.  
  
   
  
16. Name and address of  
The insurance  
company if any.  
  
   
  
The respondent I  
  
   
  
17. Name and address of  
the claimant.  
  
As fully described in the head  
note of the claim petition.  
  
   
  
18. Titled to the property  
Of the person  
deceased.  
  
Being legal heirs and  
dependents of deceased Gurmail  
Singh.  
  
   
  
49. Relationship with the  
Person deceased.  
  
Claimant No 1 is the mother,  
claimant No.2 is widow 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.  
  
   
  
claimed  
  
21.Amount of compensation  
  
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’  
t.  
  
sy  
  
   
  
have also lost the love and  
, 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 deGeased 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 8:00PM the deceased feached near the  
Kamla Tile Industry village Talwara then he collided with the tanker/tipper  
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 spoi. 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  
parking of the tipper bearing No. PB-12-M-9609 by its driver i.e. 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 was  
wrongly mentioned in the FIR as PB-12-M-9605 as the complainant was the  
brother of the deceased and due to death of his brother, he was under  
extreme shock. Due to said fact, he has wrongly mentioned the number as  
PB,12-M-9605 in place of PB-12-M-9609, 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  
  
i. . compensation to the tune of Rs. 4,00,00,000/- (Rs. One Crore) plus Rs.  
} \* 50,000/- on last rites and Bhog Ceremony may kindly be awarded to the  
ae claimants alongwith interest @ 12% P.A. from the date of accident till its  
  
realization, in the interest of justice.  
  
7 Submitted by;  
Dated:  
1- Krishna Devi wife of Swarna  
2- Meena Kumari wife of late Sh. Gurmail  
‘ Singh son of Swarna  
ae 3- \_Nitish Kumar son of Late Sh. Gurmail Singh  
son of Swarna  
z 4- Shivani Naphri D/o Late Sh. Gurmail Singh  
- son of Swarna  
5- Vishali minor D/o Late Sh. Gurmail Singh  
3 son of Swarna through her ‘mother and  
i. natural guardian Smt. Meena Kumari :  
: All residents of Ward NO. 7, village Khad  
Samtehan, PO Gawal Thai, Tehsil Shri  
Naina Devi Ji, District Bilaspur (HP).  
  
   
  
ants  
  
   
  
5 ; Through Counsel  
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= Shiani Ni  
a” = MIAH pumon  
4 — ay  
- Mshaly Neplt  
T  
o VERIFICATION:-  
Verified that the contents of paras 1 to 24 of the claim petition are true  
% and correct to the best of my knowledge. .  
separ Verified and signed at Rupnagar  
a2 On:  
f esses Claimants at  
  
   
  
   
  
— Wer part  
— Shivani Naphoi  
— NIH SA Romar,  
= Ntshud? Waphuct