

**IN THE COURT OF MOTOR ACCIDENT CLAIMS TRIBUNAL**

MACT Petition No.....of 20\_\_\_\_.

1.XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

2.YYYYYYYYYYYYYYYYYYYYYYYYYYYYYYYYYY

3.ZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZ

All are residents of \_\_\_\_\_

.....Petitioners.

VERSUS.

1.XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX (Driver of  
offending vehicle i.e. Motorcycle bearing No.  
XXXXXXXXXXXXX)

2.YYYYYYYYYYYYYYYYYYYYYYYYYYYYYYYYYY (Owner of  
offending vehicle i.e. Motorcycle bearing No.  
XXXXXXXXXXXXX)

3.ZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZ

(Insurer of offending vehicle i.e. Motorcycle bearing  
No. XXXXXXXXXXXXXXXX)

.....Respondents.

PETITION UNDER SECTION 166 OF  
MOTORVEHICLE ACT FOR THE GRANT OF  
COMPENSATION OF RS. /-.

Sir,

The Petitioners respectfully submit as under:-

We, the above named petitioners, do hereby apply for the grant of compensation on account of the death of \_\_\_\_\_ son of \_\_\_\_\_, in a motor vehicle accident caused by rash, negligent and careless driving of offending vehicle Trailer bearing No. \_\_\_\_\_, by respondent No.1.

The necessary particulars in respect of the death, vehicle accident etc. is given as under:-

S.No.	Particulars
1	Name & father's name : _____ son of Shri

	of deceased.	_____
2	Full address of the deceased.	: Village _____
3	Age of the deceased.	: _____ Years.
4	Occupation of the deceased.	: The deceased was a _____ in _____, _____ and also doing his part time of _____ etc.
5	Name & Address of the employer.	N.A.
6	Monthly income of the deceased.	:Rs. _____/- per month.

7	Does the person in respect whom compensation is claimed pay income Tax?	: No.
8	Place, date and time of the accident.	:The accident took place on _____ at about _____. near _____ _____
9	Name & address of the police station in whose jurisdiction the accident took place and registered the case against the respondents No. 1.	:P.S. _____, FIR No _____ dated _____ u/s _____ and _____ IPC was registered.
10	Was the person in respect of whom compensation is claimed traveling	: No.

	<p>in the</p> <p>offending vehicle? If so</p> <p>state the starting of journey and its destination.</p>	
11	Nature of injuries.	: As per P.M.R.
12	Name & address of the Medical Officer who attended the deceased.	:Post mortem of the deceased was conducted atDr. _____Hospital, _____.
13	Period of treatment and expenditure incurred, if any	:Rs. _____/- was incurred treatment as well as last rites and transportation etc.
14	Registration & type of the offending	: _____ bearingNo. HR-XH-XXXX.

	vehicle.	
15	Name & address of the driver of offending vehicle.	: Respondent No. 1.
16	Name & address of the owner of offending vehicle.	: Respondents No. 2.
17	Name & address of the insurer of offending vehicle.	: Respondent No. 3.
18	Has any claim been lodged with insurer?	: No.
19	Name & address of the petitioners.	:As mentioned in title of the Petition.

20	Relationship with the deceased	:As per list of the petitioners.
21	Title of the property of the deceased.	:The petitioners are entitled to claim compensation for the death of _____.
22	Amount of compensation.	: Rs. /-.

23. Any other information which may be necessary and helpful in final disposal of petition.

i) That the accident was caused by the driver i.e. respondent No.1, who was driving the offending vehicle stated above which belongs to respondent No. 2 i.e. owner of the offending vehicle, due to rash and negligent driving of offending vehicle bearing No.

\_\_\_\_\_ driven by respondent No.1. Since the respondent No.1 was driving the offending vehicle and respondent No, 2 is the owner of the offending vehicle and the said offending vehicle was insured with the respondent No. 3, so all the respondents are jointly and severally are liable to pay the compensation amount to the petitioners;

ii) That the petitioners in the said accident not only lost their husband and father, respectively, but they lost the nearest one. The petitioners also lost their source of income. The deceased was posted as \_\_\_\_\_ at \_\_\_\_\_, and he was also doing business of \_\_\_\_\_ and he was earning Rs. \_\_\_\_\_ /- per month. The petitioners are also deprived from the love and affection of the deceased.

iii) That deceased was having good health and physique and he was a hard worker. If he had not met with the



unfortunate accident, there would have been every chance for him to reach the peak of success.

iv) That due to the death of deceased in the road accident, the petitioners deprived from his love and affection. The petitioners are always sinking in the ocean of the sweet memories of deceased.

#### 24. Brief description of the Accident.

That on \_\_\_\_\_ at \_\_\_\_\_ p.m when the father of complainant was returning to his home and at about \_\_\_\_\_ p.m. when father of the complaint reached near \_\_\_\_\_, at \_\_\_\_\_ road, the offending \_\_\_\_\_ being driver by respondent no.1 at a high speed, rash and negligent manner, came and hit the \_\_\_\_\_ of father of complainant. The father of complainant fell down and sustained multiple injuries on his person. The father of the complainant was got admitted to \_\_\_\_\_ but due to serious injuries, the injured was taken to \_\_\_\_\_, \_\_\_\_\_ but there was no proper treatment , thus, the injured was

referred to \_\_\_\_\_ Hospital, \_\_\_\_\_, where father of the complainant was on ventilator and was unconscious. On the basis of complaint made the by complainant, FIR No. \_\_\_\_\_ dated \_\_\_\_\_ under Section \_\_\_\_\_ IPC was registered in police Station \_\_\_\_\_, District \_\_\_\_\_ against respondent No.1, contents of the F.I.R. may kindly be read as a part of this petition. **NOTE: It is hereby to mention that the FIR was got lodged on \_\_\_\_\_ but the intimation of accident was promptly given to the police. After the accident the injured was taken to hospital to hospital i.e. firstly \_\_\_\_\_ thereafter at \_\_\_\_\_ and members of the family of deceased were with him at \_\_\_\_\_.** Thus, there is no delay in lodging of FIR.

The respondent No 1 caused the said accident by rash, negligent and careless driving of offending motorcycle bearing No. HR-XH-XXXX as he was driving the offending vehicle and respondent No.2 was the owner of the offending vehicle, which was insured with the

respondent No.3, so the respondent No. 1 being driver, respondent No.2, being owner and respondent No. 3 being insurer of the offending vehicle are jointly and severally liable to pay the compensation to the petitioners.

It is, therefore, prayed that the petition of the petitioners may kindly be accepted and an award of Rs. \_\_\_\_\_/- (Rupees \_\_\_\_\_ lack ) with interest at the rate of 24% per annum from the date of accident be passed in favour of the petitioners and against the respondents jointly and severally.

<u>VERIFICATION.</u>	<u>PETITIONERS.</u>
Verified that all the contents of petition are true and correct to my knowledge and belief.	1.
Verified at Gurugram.	2.
Dated	

Through Counsel

**IN THE COURT OF MOTOR ACCIDENT CLAIMS TRIBUNAL**

XXXXXXXXXXXX.                      Versus.                      YYYYYYYYYYYYYY etc.

Claim Petition U/S 166 of M.V. Act.

**AFFIDAVIT.**

I, \_\_\_\_\_ son of late Shri \_\_\_\_\_,  
resident \_\_\_\_\_ of \_\_\_\_\_ village  
\_\_\_\_\_, do  
hereby solemnly affirm and declare as Under:-

1. That this is the first claim petition filed by the deponent before this Hon'ble Tribunal.

2. That no other similar claim petition either is pending in any other court or has been decide by any court.

DEPONENT.

VERIFICATION.

Verified that all the contents of the affidavit are true and correct to my knowledge and belief.

Verified at Gurugram.

Dated.

DEPONENT.

**IN THE COURT OF MOTOR ACCIDENT CLAIMS TRIBUNAL**

XXXXXXXXXXXX

Versus.

YYYYYYYYYYYYYYYY

Claim Petition U/S 166 of M.V. Act.

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**Dated**

Through Counsel