IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/FIRST APPEAL NO. 1523 of 2024

FOR APPROVAL AND SIGNATURE:

HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR

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Approved for Reporting	Yes	No

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MANIBEN KESHUBHAI PARMAR
Versus
CHAKUBHAI KESHUBHAI CHUDASAMA & ORS.

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Appearance:
BHAVIN B THAKAR(9371) for the Appellant(s) No. 1
DS AFF.NOT FILED (R) for the Defendant(s) No. 4
MR RITURAJ M MEENA(3224) for the Defendant(s) No. 5
MR. HEMAL SHAH(6960) for the Defendant(s) No. 1,2,3

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CORAM:**HONOURABLE MR. JUSTICE HASMUKH D. SUTHAR**

Date : 22/12/2025
ORAL JUDGMENT

1) By way of present appeal the appellant has sought following relief:

> *"A. This Hon'ble Court may be pleased to modify the judgment & award dated 29-02-2024 passed by 10th Add. District Court & MACT, (Special), Rajkot in MACP No.1188 of 2020 to the extent that entire awarded amount shall be paid to present appellant."*

2) Considering the nature of *inter-se* dispute between the claimants qua apportionment of amount of compensation, by consent of both the learned Advocates this Court vide order dated 21.11.2025, had referred the present matter to the Gujarat High

Court Mediation Center for redressal of dispute between the parties. During the mediation proceedings the parties have successfully agreed to resolve their dispute amicably and arrived at settlement. The Mediation Report dated 10.12.2025 submitted by Ms. Aman A. Shaikh, Mediator, is taken on record. As per the said report the mediation was successful and as per terms and conditions of the Memorandum of Understanding dated 10.12.2025, parties agreed for apportionment as under:

> *"5. That from the total awarded amount will be aportioned as follows: the amount i.e., Rs.1174000/- came to be distributed amongst the claimants as below:*
>
> ***Claimant Maniben Keshubhai Parmar-40%***
> ***Claimant Chakubhai Keshubhai Parmar-40%***
> ***Claimant Bhupatbhai Chakubhai Parmar-10%***
> ***Claimant Vijaybhai Chakubhai Parmar-10%***
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> *full and final settlement amount and to put the entire controversy and disputes to an end."*

3) In view of above, the apportionment granted in paragraph – 6 in operative portion of the impugned judgment is modified as under:

Claimant	**Apportionment granted by Tribunal**	**Apportionment is modified to the below extent.**
Maniben Keshubhai Parmar	25%	**40%**
Chakubhai Keshubhai Parmar	55%	**40%**
Bhupatbhai Chakubhai Parmar	10%	**10%**
Vijaybhai Chakubhai Parmar	10%	**10%**

4) Accordingly, the judgment and award dated 29.02.2024 passed by learned Motor Accident Claims Tribunal (Special), Rajkot, in MAC Petition No.1188 of 2020 stands modified to the aforesaid

extent. Rest of the judgment and award remains unaltered.

5) With the aforesaid directions the First Appeal is disposed of being **partly allowed**. Pending Civil Applications, if any, stands disposed of. Interim relief, if any, stands vacated. No order as to costs.

6) The Tribunal shall disburse the entire awarded amount lying in the FDR and/or with the Tribunal, with accrued interest thereon, if any, to the claimants, by account payee cheque / NEFT / RTGS, after proper verification and after following due procedure.

7) While making the payment, the Tribunal shall deduct the courts fees, if not paid.

8) Record and proceedings, if any, be sent back to the concerned Tribunal, forthwith.

9) Award be drawn accordingly.

(HASMUKH D. SUTHAR,J)

ANKIT JANSARI

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: ANKIT YOGESHBHAI JANSARI(HCW0109), ENGLISH STENOGRAPHER GRADE I, at High Court of Gujarat on 23/12/2025 18:35:00