

HIGH COURT OF UTTARAKHAND AT NAINITAL

NOTIFICATION

No. 118/UHC/ADMIN.B/v-a-8/2025

Dated: 25 June, 2025

Subject:- Practice Directions for ensuring that material details are disclosed while filing claim applications.

Pursuant to order dated 22.04.2025 passed by the Hon'ble Supreme Court of India in Suo Motu Writ Petition (Civil) No. 7 of 2024 titled as "*In Re: Compensation Amounts Deposited with Motor Accident Claims Tribunals and Labour Courts*", Hon'ble High Court of Uttarakhand is pleased to issue the following practice directions for ensuring that material details are disclosed while filing claim applications under Section 166(1) of Motor Vehicles Act, 1988 to all Motor Accident Claims Tribunals (MACTs):

(1) While filing claim petitions under the Motor Vehicles Act, 1988 (for short, 'the 1988 Act'), following particulars shall be incorporated:

(i) Names and addresses (local and permanent) of the injured persons or the owners of the damaged property, as well as phone numbers registered in their names, their AADHAR and PAN details and email-id, if any; and

(ii) Names and addresses (local and permanent) of all the legal representatives of the deceased victim of the accident who are claiming compensation, as well as phone numbers registered in their names, their AADHAR and PAN details and email-id, if any;

(2) If the aforesaid details are not furnished, the registration of the application should not be refused on that ground, but MAC Tribunals at the time of issuing notice may direct the

applicant(s) to furnish the information and make the issue of the notice subject to making compliance;

- (3) While passing an interim or final order of grant of compensation, the MAC Tribunals shall call upon the person or persons held entitled to receive compensation, to produce their bank account details along with either a certificate of the banker giving all details of the bank account of the person or persons entitled to receive the compensation including IFS Code, or a copy of a cancelled cheque of the bank account. The Tribunal shall call upon the claimants to produce the documents within a specified reasonable time;
- (4) The persons entitled to receive compensation will give details of the bank accounts (preferably which exist immediately before the accident). Further, they will keep on updating information regarding the bank accounts, email id, and phone numbers registered in their names *etc.*, in case there are changes;
- (5) In the event a consent award or consent order is made, the MAC Tribunals may direct the deposit of the compensation amount ordered to be released to the claimants directly to the bank accounts of the persons held entitled to receive compensation. However, the consent terms must contain all relevant account details of the persons entitled to compensation in accordance with clause (c) above. The account details can also be incorporated in the order passed for the disbursement of the amount on the basis of a compromise between the parties. In case of compromise before the Lok Adalats, the MAC Tribunal, on the basis of the settlement, shall pass a consequential order in the above terms;
- (6) It shall be the duty of the learned Judges presiding over the MAC Tribunal to verify from the certificate issued by the banker

and ascertain whether the account is of the persons held entitled to receive compensation;

- (7) The MAC Tribunals, while passing orders of withdrawal/disbursement, shall, in the ordinary course, pass an order of transfer of the requisite amounts directly to the bank account of the person/s entitled to receive compensation as per the account details furnished. If there is a long gap between the date of furnishing the account details and the date of filing application for withdrawal of the amount, the Tribunal will be well advised to get fresh account details of the claimants;
- (8) Whenever the MAC Tribunal passes an order of deposit of compensation amount with the Tribunal, there shall be a direction issued to invest the amounts to be deposited in fixed deposit with any nationalised bank and the fixed deposit shall be with the standing instructions to the bank to renew the same after periodical intervals till further orders are passed by the Tribunal;
- (9) These practice directions will also applicable with suitable adaptation for the Workmen's Compensation Act (Labour Courts).
- (10) The aforementioned instructions shall come into effect immediately and shall remain in force till appropriate Rules are framed/notified by the State Government.

By the Orders,

Sd/-
(Yogesh Kumar Gupta)
Registrar General

No. 3942/UHC/ADMIN.B/v-a-8/2025

Dated: 25 June, 2025

Copy forwarded to the following:

1. P.P.S. to Hon'ble the Chief Justice with the request to place it before His Lordship's kind perusal.

2. All the P.S./P.A.(s) of Hon'ble Judges with the request to place it before His Lordship's kind perusal.
3. Principal Secretary, Law-cum-L.R., Government of Uttarakhand, Dehradun.
4. All District Judges to circulate the same amongst all the Judicial Officers/Presiding Officer, Tribunals functioning within your jurisdiction for information and necessary action.
5. Presiding Officers, Motor Accident Claims Tribunal, State of Uttarakhand.
6. Presiding Officers, Labour Court, State of Uttarakhand.
7. Director, Uttarakhand Judicial and Legal Academy, Bhowali, Nainital.
8. Member Secretary UKSLSA, Nainital.
9. All Registrar(s) of the Hon'ble Court.
10. All JRs/DRs/ARs/SOs of the Hon'ble Court.
11. Head Bench Secretary with a request to circulate amongst all the Bench Secretaries.
12. Deputy Registrar, Computer Section with a request to upload the notification in official website of the Hon'ble Court.
13. Notice Board/Guard file

Sd/-

Deputy Registrar
Admin-B