

BEFORE THE MOTOR ACCIDENT CLAIMS TRIBUNAL, [PLACE]

MACT Case No. ____ of 20__

MEMO OF PARTIES

[NAME OF INJURED / LEGAL REPRESENTATIVE(S) OF DECEASED, with relationship], [S/o / D/o / W/o] [NAME OF FATHER / HUSBAND], aged about [__] years, resident of [FULL ADDRESS WITH PIN CODE]... Claimant(s)

[NAME OF DRIVER], [S/o / D/o / W/o] [NAME OF FATHER / HUSBAND], aged about [__] years, resident of [FULL ADDRESS WITH PIN CODE]... Respondent No. 1 (Driver)

[NAME OF REGISTERED OWNER], [S/o / D/o / W/o] [NAME OF FATHER / HUSBAND], aged about [__] years, resident of [FULL ADDRESS WITH PIN CODE]... Respondent No. 2 (Owner)

[NAME OF INSURANCE COMPANY], through its [Branch / Divisional Manager], [ADDRESS]... Respondent No. 3 (Insurer)

**CLAIM PETITION UNDER SECTION 166 OF THE MOTOR VEHICLES ACT, 1988
FOR COMPENSATION ON ACCOUNT OF [INJURIES SUSTAINED BY __ /
DEATH OF __] IN A MOTOR VEHICLE ACCIDENT**

Respectfully sheweth:

1. Particulars of the injured / deceased: name [__]; age [__]; occupation [__]; monthly income ₹[__]; address [__].
2. Date, time and place of the accident: [DATE], at about [TIME], at [PLACE].
3. FIR: [FIR No. __ dated __, under Sections __ of the Bharatiya Nyaya Sanhita, 2023 (or the corresponding IPC sections for offences before 01.07.2024), Police Station __, District __] (Annexure P-1).
4. Offending vehicle: registration No. [__], driven by respondent No. 1, owned by respondent No. 2, and insured with respondent No. 3 vide policy No. [__], valid from [__] to [__].
5. Brief facts: [DESCRIBE HOW THE ACCIDENT OCCURRED, showing rash and negligent driving by respondent No. 1].
6. Injuries / cause of death: [NATURE OF INJURIES / DISABILITY / POST-MORTEM FINDINGS]; treatment at [HOSPITAL] from [__] to [__] (Annexure P-2).
7. Expenses and loss: medical ₹[__]; transport and attendant ₹[__]; loss of income ₹[__]; [for death: loss of dependency, funeral expenses, loss of estate, consortium and love and affection].
8. Claimants and dependency: [NAMES, AGES AND RELATIONSHIP of the claimants with the deceased / injured].
9. That this Tribunal has jurisdiction under Section 166(2) of the Act, as [the accident occurred / the claimant resides or carries on business / the defendant resides] within its local limits.
10. That the respondents are jointly and severally liable to pay compensation to the claimant(s).

11. That the collision occurred on [date, time and location] when [specific driving act] caused [impact and injury]. The negligence account is supported by [eyewitness, site plan, FIR, CCTV, mechanical inspection]; the criminal allegation is not treated as a concluded finding of civil liability.
12. That the driver, registered owner and insurer at the accident date are [details]. Policy number, period, licence particulars and any insurer's pleaded defence are [records and response].
13. That the deceased's age, occupation and proved income are [particulars and evidence]; dependants and legal representatives are separately identified. The death claim calculation sets out income after applicable tax, future prospects, personal-expense deduction, multiplier and conventional heads with the basis for each.
14. That [for injury claims only] treatment, expenditure, income loss during treatment, permanent disability and its actual effect on earning capacity are [medical and vocational evidence]. Medical disability is not automatically treated as the same percentage of economic loss.
15. That the legal basis for territorial jurisdiction and the applicable limitation position, having regard to accident date, amendments, commencement and binding orders, have been examined as [details]. A blanket assertion that every MACT claim has no filing deadline is not relied on.
16. That compensation under each head is ₹[] as per the annexed calculation, interest is sought at [rate and justified commencement], and interim sums or other recoveries are disclosed for appropriate adjustment.
17. That [OPTIONAL: retain only after verifying the cited rule and these facts] [for a death claim only] age [] and employment category [] are proved by [records]. Applying Pranay Sethi's framework, future prospects of [supported percentage], deduction [], multiplier [] and conventional heads [] yield ₹[], as shown in the separate computation; subsequent applicable adjustments are identified as [].

PRAYER

It is, therefore, respectfully prayed that an award of ₹[AMOUNT] may kindly be passed in favour of the claimant(s) and against the respondents, jointly and severally, along with interest at such rate as this Hon'ble Tribunal deems fit from the date of filing of the petition till realisation, with costs.

Place: [PLACE] Date: [DATE]

CLAIMANT(S) Through [NAME OF ADVOCATE] Advocate Enrolment No. [__]

VERIFICATION

Verified at [PLACE] on [DATE] that the contents of paragraphs 1 to [__] of the above claim petition are true and correct to my knowledge, the contents of paragraphs [__] to [__] are based on information received and legal advice, which I believe to be true, and the last paragraph is the prayer to this Hon'ble Court. No part of it is false and nothing material has been concealed therefrom.

CLAIMANT(S)

Note: Attach the FIR, the Detailed Accident Report (if filed by the police), medical records and bills, income proof, the driving licence, the RC and insurance particulars, and the post-mortem report (death cases).

BEFORE THE MOTOR ACCIDENT CLAIMS TRIBUNAL, [PLACE]

MACT Case No. ____ of 20__

[NAME OF CLAIMANT(S)]... Claimant(s)

Versus

[NAME OF RESPONDENTS]... Respondents

AFFIDAVIT

Affidavit of [NAME OF DEPONENT], [S/o / D/o / W/o] [NAME], aged about [____] years,
resident of [FULL ADDRESS WITH PIN CODE].

I, the above-named deponent, do hereby solemnly affirm and declare as under:

1. That the deponent is competent to swear this affidavit and the accompanying [suit / petition / application] has been drafted by counsel on the deponent's instructions. Its contents have been read over and explained in [LANGUAGE], understood by the deponent, and are incorporated as part and parcel of this affidavit; the factual statements are true to the deponent's knowledge or identified records, and legal submissions are based on advice believed to be true.
2. That [no same or similar suit / petition / application on the same cause of action has been filed / the following prior or pending proceedings, outcomes and orders are fully disclosed: ____]. Nothing material has been concealed.

DEPONENT

VERIFICATION

Verified at [PLACE] on [DATE] that paragraphs 1 and 2 above are true and correct to my knowledge and identified records, with legal submissions based on advice believed true. Nothing material has been concealed.

DEPONENT

Note: To be sworn before an Oath Commissioner / Notary Public and stamped as required by the applicable rules.

PREPARATION AND JUDGMENT APPLICATION

Updated 11 October 2026. Complete every material fact, retain only supported alternatives, and renumber before filing. These notes support professional adaptation; they do not supply missing evidence or guarantee relief.

Filing and relief checks. Use distinct death/injury calculations; do not retain both as factual claims. Annex age/income records, medical or post-mortem evidence, accident material and insurance records. Check current conventional-head adjustments and subsequent applicable decisions.

Fact-specific authority. National Insurance Co. Ltd. v. Pranay Sethi, (2017) 16 SCC 680; 31 October 2017, concluding principles. In a death claim, choose future prospects using proved age and employment status and explain the calculation. The framework does not replace proof of income or determine functional disability in an injury claim. Read the judgment

Source: <https://indiankanoon.org/doc/139996215/>

Before relying on any authority, compare the material facts, procedural stage, statutory version and precise relief; check subsequent treatment and applicable local practice. Keep the authority note separate from the signed pleading. For criminal procedure, determine Section 531 BNSS savings rather than select the code solely from the alleged offence date.