



GUJARAT STATE JUDICIAL ACADEMY

High Court of Gujarat, Ahmedabad

Judicial Seminar on 'Effective Trial Process of cases under Motor Vehicles Act' (including directions given in case of Bajaj Allianz General Insurance Company Private Limited Vs. Union of India and Others, Jaiprakash Vs. National Insurance Company Ltd. and Gohar Mohammed Vs. Uttar Pradesh State Road Transport Corporation & Others) for Additional District Judges on 13th April, 2026

13.04.2026 (Monday) (Lecture Hall No.4)

10:00 am to 10:45 am	Registration	
10:45 am to 11:00 am	Prayer & Meditation	
Session I 11:00 am to 01.00 pm	<p>Introduction and Evolution of Motor Accident Claim Jurisprudence:</p> <ul style="list-style-type: none"> ○ Development of the law through judicial intervention. ○ Transition from adversarial claims to structured procedures. ○ Key reforms under the Motor Vehicles (Amendment) Act, 2019. ○ Interplay between legislative amendments and judicial directives. ○ Res Judicata in Motor Accident Claim Petitions (MACP) ○ Interpretation and Scope of the Term “Legal Representative” under the Motor Vehicles Act ○ New Dimensions of Section 166(3) of the Motor Vehicles Act, 1988 ○ Liability of the Insurance Company under Section 147 of the Motor Vehicles Act <p>Central Motor Vehicles Rules, 2022 – Investigative Framework</p> <ul style="list-style-type: none"> ○ Procedure prescribed for investigation of motor vehicle accidents. ○ Duties of Stakeholders including law enforcement Police, Registering Authorities, Insurance Companies, Motor Accident Claims Tribunals <p>Landmark Judicial Pronouncements:</p> <ul style="list-style-type: none"> ○ Rajesh Tyagi I–V(DelhiHC,2009–2021)–institutionalizing the Claims Tribunal Agreed Procedure (CTAP). ○ Jai Prakash I–III (SC,2009–2017)–nationwide adoption of structured procedures. ○ M.R. Krishna Murthiv. New India Assurance Co. (SC,2019) – lifelong care and structured compensation. ○ Gohar Mohammed v. UPSRTC (SC, 2022–2023)– continuity of reforms and monitoring compliance. <p>Assessment of Compensation & Implementation Challenges</p> <ul style="list-style-type: none"> ○ Suggestions for strengthening implementation of Hon’ble Supreme Court guidelines. ○ Open discussion on challenges faced by tribunals and judicial officers. ○ Assessment of income, future prospects, non-pecuniary damages, and structured disbursement of compensation. 	<p>Speaker: Hon’ble Dr. Justice K. J. Thaker Former Judge, Gujarat High Court</p>
01.00 pm to 02.00 pm	Lunch Break	
Session II 02:00 pm to 03:30 pm	<p>Injuries and disability, Calculation of Disability – Medico legal aspect, Calculation as regards other incidental factors to be considered-Motor Vehicle Act</p>	<p>Speaker: Dr. Saumil Merchant Professor & Head Deptt. Of Forensic Medicine & Toxicology, Narendra Modi Medical College</p>
03:30 pm to 04:00 pm	Tea Break	
04.00 pm to 05.00 pm	Exploring Library	
05.00 pm to 05.10 pm	Health Break	

<p style="text-align: center;">Session III 05.10 pm onwards</p>	<p>A. <u>Effective Trial Process of cases under Motor Vehicle Act:</u></p> <ol style="list-style-type: none"> 1. No Fault Liability u/s 140 and u/s 163A & the corresponding provisions of the amended Act. 2. Calculation: Quantum and Just compensation in injury, death, minor & Compensation in case of Hit and Run cases. 3. Execution of Award - Challenges in enforcement of award of Motor Accident Claim Tribunal. 4. Compensation under WCA and MV Act. 5. Limitation for filing Claim Petition. 6. Defense available to the Insurance Company and Scope of Section-170, M.V. Act. 7. Production, admissibility and recording of evidence before the Tribunal - Appreciation of evidence in MACP cases. 8. Contributory negligence <p>B. Tribunal as an executing Court – Sec. 174,175 of the M.V. Act r/w O 21 and Sec. 47 of Civil Procedure Code, 1908</p>	<p style="text-align: center;"><u>Speaker:</u> Hon’ble Ms. Justice Gita Gopi Judge, High Court of Gujarat</p>
<p>Note: The Academy may modify, add, alter, substitute or subtract the subjects/topics/faculty/time according to exigency.</p>		

Learning has no end!