**Suit for Compensation**

**for death due to negligence or physical disability due to negligence of others. The Suit can be filed before Competent Judge in Civil Court as per pecuniary Jurisdiction.**

**Format of compensation Petition to be filed before Civil Judge for Accident Claims due to negligence. Claim by the victim or family or dependent.**

Compensation Suit against loss of life or physical disability can be filed in the Court of Civil Judge with Jurisdiction to handle the case. Petition can be filed by the victim himself, dependent or legal heir. Format of Suit for Compensation is given below:

BEFORE THE SENIOR CIVIL JUDGE OR DISTRICT JUDGE AT \_\_\_\_\_\_\_\_\_

CIVIL SUIT NO. \_\_\_\_\_\_\_\_\_\_ OF 20\_\_

IN THE MATTER OF:

Mr. \_\_\_\_\_\_\_\_\_                                                            PLAINTIFF  
New Delhi

VERSUS

1. Mr. \_\_\_\_\_\_\_\_\_\_\_\_                                                    DEFENDANT NO.1

2. Mr. \_\_\_\_\_\_\_\_\_\_\_\_                                                    DEFENDANT NO. 2

3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Company Ltd                                  DEFENDANT NO. 3

POLICE STATION: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

SUIT FOR COMPENSATION ON ACCOUNT OF DEATH BY BUILDING COLLAPSE

MOST RESPECTFULLY SHOWETH:  
  
1. Plaintiff No. 1 is house wife residing at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

2. That the husband of the Plaintiff, aged about \_\_\_ years, left this world on \_\_\_\_\_ on account of negligence by Defendant No. 1.

3. That Defendant No. 1 is the Owner of the Building, Defendant No. 2 is the Builder and Defendant No. 3 is the Insurance Company.

3. That on \_\_\_\_\_\_ at about \_\_\_\_ in the areas of \_\_\_\_\_ Plaintiff and her husband were moving on foot and going towards \_\_\_\_\_\_\_\_\_\_\_ to make purchase of household goods.

4. That the Plaintiff and her husband reached near the house being constructed by Defendant No. 1 at \_\_\_\_\_\_\_\_\_\_\_\_\_\_, the building was suddenly collapsed. Husband of the Plaintiff was buried under debris and was died. The Plaintiff also had suffered minor injuries.

5. That the Defendant No. 1 had constructed the house without any barricade to prevent passage of people through that area and kept the construction area open for movement of people.

6. That it was the duty of the Defendant No. 1 and Defendant No. 2 to cover the area and do construction with necessary preventive measures to prevent public from entering in the area.

7. That it was the duty of Defendant No. 1 and Defendant No. 2 doing construction with standard materials with strong foundation.

8. That Defendant No. 1 and Defendant No. 2 were duty bound to provide adequate protection to the passerby.

9. That the matter was immediately reported to the police and as such criminal case has also been registered against the Defendant No. 1 and Defendant No. 2.

10. That the husband of the Plaintiff has lost his life due to negligence or carelessness on the part of the defendants in the aforesaid manner.

11. That the Husband of the Plaintiff was running a business of grocery shop and was earning Rs.\_\_\_\_\_\_ per month. He had robust health. He was industrious.

12. That the husband of the Plaintiff was left behind the Plaintiff, two sons and one daughter. Plaintiff, the three school going children were wholly dependent upon the deceased.

13. That the Plaintiff put forth demand for payment of Rs. \_\_\_\_\_\_\_\_\_ but the Defendant No. 1 and his insurance Company Defendant No. 3 has refused to do so or to settle the matter.

14. That cause of action has arisen to the Plaintiff on \_\_\_\_\_\_\_\_\_ when here husband died on account of negligence or carelessness on the part of the Defendant No. 1 and Defendant No. 2 in the aforesaid manner.

15. That the Valuation of the Suit for the purpose of Court fee and Jurisdiction is Rs. \_\_\_\_\_\_\_\_\_\_\_\_\_\_ and Court fee of Rs. \_\_\_\_\_\_\_\_\_\_\_ and Court fee of Rs. \_\_\_\_\_\_ has been affixed.

16. That having regard to the claim of the Plaintiff and the cause of action having arisen in the area of \_\_\_\_\_\_\_ this Hon'ble Court has jurisdiction to entertain and try this Suit.

17. In the facts and circumstances of case mentioned herein above this Hon'ble Court may graciously be pleased to:

P R A Y E R

That the Plaintiff, therefore, pray that this Hon'ble Court may pass -

a) A decree for recovery of Rs. \_\_\_\_\_ in favour of the Plaintiff and against the Defendant No 1, Defendant No. 2 and Defendant No. 3 with interest @ \_\_% per annum from the date of accident upto the filing of this suit, and \_\_% per annum, from the date of decision till realization till decree amount.

b) The Plaintiff be paid their cost from the defendants.

 c) Any other relief, which the Hon'ble court deems fit, may please be granted to the plaintiff in the interest of justice.

PLAINTIFF

THROUGH  
  
\_\_\_\_\_\_\_\_\_\_\_\_\_\_., Advocate

Place :

Date :

VERIFICATION

I, \_\_\_\_\_\_\_\_\_\_\_\_, the above named Plaintiff states on solemn affirmation that contents of Para 1 to \_\_ of the Plaint are true and correct to the best of my knowledge and belief and those of legal averments are true and correct on the basis of legal advice received and believed to be true by me.

Verified at \_\_\_\_ on this \_\_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

PLAINTIFF