

Misc. Case No. 927 of 2019 & Misc. Case No. 102 of 2021 (MACP No. 29 of 2018)
Smt. Rekha Mishra & Ors. vs. Ram Kumar & Ors.
16.06.2021

The case presented before the Tribunal. Applicants with their counsel & Counsel of National Insurance Co. Ltd. appeared virtually.

Heard and perused the record which transpires that initially ₹30,26,977 with 7% interest were awarded to the claimants in MACP No. 29 of 2018 on date 23.11.2019 by the MACT/ADJ Court No. 3 Jhansi and thereafter this amount was enhanced by Hon'ble High Court of Allahabad to the tune of ₹42,75,000 with 7.5% interest.

Through Misc. Case No. 927 of 2019 applicants Smt. Rekha Mishra & Ors. have prayed for execution of enhanced award. After coercive action National Insurance Co. Ltd. has deposited whole amount hence prayer of Ld. Counsel of National Insurance Co. Ltd. to release hold on Company's Dena Bank (Bank of Baroda) Civil Lines Jhansi Account No. 114011001069 is accepted. Accordingly Misc. Case No. 927 of 2019 is disposed off in full satisfaction.

Through Misc. Case No. 102 of 2021 applicants Smt. Rekha Mishra & Ors. have prayed for release of enhanced amount in their favor. As per record of MACP No. 29 of 2018, ₹34,88,265 have been released in the favor of applicants on 26.02.2020. As per office report enhanced amount and interest thereon ₹17,02,857 are credited in Tribunal's Syndicate/Canara Bank account. As per Secondary School Examination Marks Sheet DOB of Prachi Mishra is 16.07.2000, so she is major now.

In support of release application 3B, the affidavit 3C2 is available on the record.

In my view applicants are entitled to get deposited amount in their bank accounts in terms of the award. Hence-

ORDER								
Syndicate/Canara Bank is ordered to disburse according to following sheet-								
Applicant/ Petitioner	Distribut ed Amount in ₹	Share%	Annuity/ Cash%	+(% of) Interest Accrued on Deposited Amount	Mode of Disbursement	Bank Account Number	Bank	IFS Code
1. Smt. Rekha Mishra	774285	61.28	74.2	45.46976	FD for 3 years		Nationalised Bank	
1. Smt. Rekha Mishra	269226		25.8	15.81024	Electronic Mode	92352010008758	Syndicate Bank	SYNB0009235
2. Deeksha	109880	9.68	66.66	6.452688	Electronic Mode	92352010008762	Syndicate Bank	SYNB0009235
2. Deeksha Mishra	54957		33.34	3.227312	FD for 3 years		Nationalised Bank	
3. Parul Mishra	109880	9.68	66.66	6.452688	Electronic Mode	92352010008781	Syndicate Bank	SYNB0009235
3. Parul Mishra	54957		33.34	3.227312	FD for 3 years		Nationalised Bank	
4. Prachi Mishraz	109880	9.68	66.66	6.452688	Electronic Mode	92352010008777	Syndicate Bank	SYNB0009235
4. Prachi Mishraz	54957		33.34	3.227312	FD for 3 years		Nationalised Bank	
5. Sparsh Mishra (Minor)	164837	9.68	100	9.68	FD up to majority		Nationalised Bank	
TOTAL	1702857	100		100				
Let the copy of this order be placed on Misc. Case No. 102 of 2021.								
Date: 16.06.2021							Presiding Officer Motor Accident Claim Tribunal Jhansi	