

Motor Accident Claim Tribunal, Jhansi

Misc. Case No. 14 of 2020 Neelam and ors. Vs. Mahesh Singh Tomar and another.
related MACP No. 168 of 2017

29.07.2020

The case has been presented before the Tribunal in Virtual Court. Due to the increasing prevalence of COVID-19, Ld. Counsel for applicants has been heard through video conferencing. The applicants Neelam, Tanishk, Tanuj and Ramwati were also present on video conference held on the date 16.07.2020.

Perused the summoned record of the MACP No. 168 of 2017 and Syndicate Bank report regarding deposition of compensation amount which makes it clear that on the basis of merit, a compensation of Rs. 46,46,100 with 7% simple interest annually was awarded by MACT/Spl. Judge (D.A.A.) Jhansi in favour of applicants on date 31.08.2019 which was paid by the Oriental Insurance Company. As per office record, the amount Rs. **53,23,747** have been deposited in the Tribunal's Syndicate Bank account. This Misc. case has been instituted by the applicants in order to get the awarded amount and interest thereon in their accounts in terms of the award. The affidavit of applicant Smt. Neelam in support of release application is available on the record of the Misc. case as per which an appeal was preferred against the award in which following order was passed by the Hon'ble High Court in FAFO 3253 of 2019—

On appellant depositing the entire awarded amount before the Tribunal, the execution of the order impugned shall remain stayed. Out of the entire deposited amount, 50% shall be allowed to be withdrawn by the claimants and 50% shall be invested in a Fixed Deposit Account-carrying maximum interest for minimum period of three years and the interest on it be paid to claimants.

As per award, Petitioners No. 1 Smt Neelam, 2 Tanishk Kumar, 3 Tanuj Kumar and 4 Smt. Ramwati shall have their shares in the proportion of 17.72 : 13.45 : 13.45 : 5.38 and 10.77% & 3.23% of the Petitioner No. 1 & 2 respectively shall have to be deposited in the FD while the shares of the Petitioners No. 2 and 3 being minor shall have to be deposited in the FD up to their majority. Applicants have submitted their bank account nos.

In the light of above, I am of the view that deposited amount should be disbursed accordingly.

ORDER

Syndicate Bank Jhokan Bagh Jhansi is ordered to disburse deposited amount of **MACP No. 168 of 2017 Neelam and ors. Vs. Mahesh Singh Tomar and another** according to following sheet—

Applicant/ Petitioner	Ammount in Rs.	+ (% of) Interest Accrued on Deposited Amount	Mode of disbursement	Bank Account Number	Bank	IFSC
1. Smt. Neelam	370164	6.95	RTGS/NEFT	9235201 0009093	Syndicate Bank	SYNB0009 235
1. Smt. Neelam	572930	10.77	FD for 3 Years		Any Nationalized Bank carrying highest interest	
2. Tanishk Kumar	716158	13.45	FD up to the Majority		Any Nationalized Bank carrying highest interest	
3. Tanuj Kumar	716158	13.45	FD up to the Majority		Any Nationalized Bank carrying highest interest	
4. Smt. Ramwati	114585	2.15	RTGS/NEFT	9235201 0009089	Syndicate Bank	SYNB0009 235
4. Smt. Ramwati	171878	3.23	FD for 3 Years		Any Nationalized Bank carrying highest interest	
MACP No. 168 of 2017 MOTOR ACCIDENT CLAIM TRIBUNAL, JHANSI	2661874	50	FD for minimum 3 years of which 17.72% & 5.38% annual interest shall be paid to the Petitioner No. 1 & 4 respectively in their Bank Accounts and 13.45% annual interest shall be paid to the Petitioner No. 2 & 3 each in the form of FD.		Any Nationalized Bank carrying highest interest	
TOTAL	5323747	100				

24.08.2020

Syndicate Bank has sought attention feasibility of quarterly interest only in the system and doubling of interest shown in the row 8 column 4. Accordingly above order dated 29.07.2020 is modified.

(Presiding Officer)

MACT, JHANSI

(Presiding Officer)
MACT JHANSI