

Motor Accident Claim Tribunal, Jhansi

Misc. Case No. 15 of 2020 Deepa and ors. Vs. Roop Chandra and ors. related MACP No. 454 of 2016

21.07.2020

The case is presented before the Tribunal in Virtual Court. Due to the increasing prevalence of COVID-19, Ld. Counsel for applicants is heard through video conferencing. The applicants Deepa, Vinay Kumar, Km. Radhika and Vishal Kumar are also present on video conference.

Perused the summoned record of the MACP No. 454 of 2016 which makes it clear that on the basis of merit, a compensation of Rs. 43,44,220 was awarded by MACT/ADJ Court No. 6 Jhansi in favour of applicants on date 27.08.2019 which was paid by the Bharti Axa General Insurance Company Limited. As per office record of Cheque Register at S.N. 29, the amount Rs. 53,43,986 was deposited in themTribunal's account of Punjab National Bank. 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 Deepa in support of release application is available on the record of misc. case as per which neither appeal is pending in the Hon'ble High Court nor stay is in operation. Since Applicants/Petitioners No. 3 and 4 have attained majority their future plan must have to be drawn in the light of the case law [M.R. Krishna Murthi vs. The New India Assurance Co. Ltd. and Ors. \(05.03.2019 – SC\) : MANU/SC/0321/2019](#) in which it is observed that *Annuity Deposit Scheme could ensure that compensation was delivered to persons for whom it was meant. It had element of annuity payments as well. There was, therefore, a need to implement MACAD Scheme by Claims Tribunals in entire country.* [para 38]

Applicants have right to get their amount back.

Applicants have submitted their bank account nos.

In the light of above, I am of the view that compensation amount should be disbursed according to the Judgment passed.

ORDER

Punjab National Bank Jhokan Bagh Jhansi is ordered to disburse deposited amount of **MACP No. 454 of 2016 Deepa and ors. Vs. Roop Chandra and ors.** according to following sheet–

Applicant/ Petitioner	Ammount in Rs.	+ (% of) Interest Accrued on Deposited Amount	Mode of disburseme nt	Bank Account Number	Bank	IFSC
1. Smt. Deepa	1640790	24.76	FD for 1 Year		Any Nationalized Bank	
1. Smt. Deepa	703196	6.19	E. Mode/ RTGS/NEFT	46020001 00058413	Punjab National Bank	PUNB04 60200
2. Vinay Kumar	100000	2.30	E. Mode/ RTGS/NEFT	46020001 00063099	Punjab National Bank	PUNB04 60200
2. Vinay Kumar	400000	9.21	FD for 1 Year		Any Nationalized Bank	
3. Km. Radhika	250000	11	E. Mode/ RTGS/NEFT	46020001 00080795	Punjab National Bank	PUNB04 60200
3. Km. Radhika	1000000	17.77	FD for 5 Years, annuity of which shall be transferred in her bank account		Any Nationalized Bank carrying highest interest	
4. Vishal Kumar	250000	11	E. Mode/ RTGS/NEFT	22107508 24	Punjab National Bank	PUNB04 60200
4. Vishal Kumar	1000000	17.77	FD for 5 Years, annuity of which shall be transferred in her bank account		Any Nationalized Bank carrying highest interest	
TOTAL	5343986	100				

(Presiding Officer)

26.08.2020

MACT, JHANSI

It is brought into notice that account number, bank and IFSC of the petitioner no. 4 Vishal Kumar is erroneous. On perusal of the record typing errors are found, hence row no. 8, column no. 5, 6 & 7 is being corrected as **Bank Account Number**–94120100119390 **Bank**–Sarva U.P. Gramin Bank **IFSC**–PUNBOSUPGB5 respectively. Surnames Balmiki to the petitioners no. 2 & 4 is also added.

(Presiding Officer)

MACT, JHANSI