

Misc. Case No. 154 of 2020 Smt. Rajnish and ors. Vs. United India Insurance Co. and ors. related MACP No. 88 of 2005

24.09.2020

The release application was presented before the Tribunal in Virtual Court. Applicants with her counsel appeared in the Virtual Court.

Perused the record which makes it clear that on the basis of merit, a compensation of ₹ 9,20,428 with 6% interest from the date of order was awarded by MACT/Spl. Judge SCST Act Jhansi in favor of the applicants on date 31.01.2008. United India Insurance Company preferred appeal against the award which is FAFO No. 1129 of 2008. Bank statement Paper No. 17B/4 relating MACP No. 88 of 2005 shows that amount of **₹ 9,11,330 was deposited by the insurance company** which had been invested by the Tribunal in FD on 30.05.2008 in the name of Motor Accident Claim Tribunal. In the appeal following order has been passed by the Hon'ble High Court of Allahabad on 10.12.2019 -

Prima facie evidence is there that while travelling on motor vehicle, the accident took place. Hence, 50% of the deposited amount be disbursed to the claimants without security.

Ld. Counsel of applicant has prayed and argued for release of 50% of deposited amount plus interest accrued thereon.

The Tribunal is not convinced from argument as no guidelines have been given by the Hon'ble High Court for disbursement of interest earned on 50% of the deposited amount. Hence -

ORDER

Punjab National Bank Jhokan Bagh Jhansi is ordered to release 50% of **₹ 9,11,330** as following-

| Applicant/ Petitioner | Ammoun t in Rs. | +(% of) Interest Accrued on Deposited Amount | Mode of disbursemen t | Account Number | Bank | IFSC |
|--------------------------------|-----------------------|---|-----------------------------|--|---|-----------------|
| 1. Smt. Rajnish Tripathi | 208137 | | Electronic | 1894000108 229796 | PNB | PUNB0205 100 |
| 2. Km. Shikha | 123764 | | | 1894001500 034779 | | PUNB0205 100 |
| 2. Sambhav | 123764 | | FD up to majority | 1097001700 078174Any Nationalized Bank carrying highest interest | Any Nationaliz ed Bank carrying highest interest | |
| TOTAL | 455665 | 0 | | | | |

(Presiding Officer)
MACT, JHANSI