

## **Motor Accident Claim Tribunal, Jhansi**

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**Misc. Case No. 28 of 2020 Swarn Lata and ors. Vs. Neeraj Bus Service and ors. related  
MACP No. 217 of 2017**

**02/06/2020**

The case is presented before the Tribunal in Virtual Court. Due to lockdown on the increasing prevalence of COVID-19, Ld. Counsel for applicants is heard through video conferencing. The applicants Swarn Lata, Sonam Nayak, Sonu Nayak, Har Narayan Nayak and Smt. Laad Kuwar Nayak are also present on video conference.

Perused the summoned record of the MACP No. 297 of 2017 which makes it clear that on the basis of merit, a compensation of Rs. 8,26,000 was awarded by MACT/ Special Judge (SC/ST Act) Jhansi in favour of applicants on date 30/10/2019 which was paid by the IFFCO TOKIO General Insurance Company Limited. As per Punjab National Bank Jhokan Bagh Jhansi report, the amount Rs. 957608 was deposited in the Tribunal'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 award. The affidavit of applicant Swarn Lata is available on the record of misc. case as per which no appeal is pending in any Court. As per award, applicant Swarn Lata has to get Rs. 1,26,000 in his account and Rs. 2,00,000 have to be fixed in any nationalised bank for 3 years in his name. Applicant Sonam has to get Rs. 1,00,000 in his account and Rs. 50,000 have to be fixed in any nationalised bank for 3 years in his name. Share of Sonu has been fixed for Rs. 1,50,000 and since he was minor at the time of awarded, his share amount was ordered to be fixed for 3 years term plan. Applicants Har Narayan and Smt. Laad Kuwar have to get Rs. 50,000 each in their accounts and Rs. 50,000 each have to be fixed in any nationalised bank for 3 years in their names. Applicants stated their bank account nos. as following-

Swarn Lata 20310253291 – State Bank of India Newari MP

Sonam Nayak 35704812051– State Bank of India Barua Sagar Jhansi

Sonu Nayak 36154330016 – State Bank of India Barua Sagar Jhansi

Har Narayan Nayak 32323299904 – State Bank of India Newari MP

Laad Kuwar Nayak 80024848786 – State Bank of India Newari MP

Sonu Nayak stating his date of birth as 01/06/2000 claimed majority and requested to release Rs. 50,000 in his bank account.

In the light of above, I am of the view that out of share amount Rs. 3,26,000 plus interest thereon of Swarn Lata, Rs. 2,00,000 have to be fixed in any nationalized bank for 3 years in her name and rest amount should be transferred into her bank account. Out of share amount Rs. 1,50,000 plus interest thereon of Sonam Nayak, Rs. 50,000 have to be fixed in any nationalized bank for 3 years in her name and rest amount should be transferred into her bank account. Out of share amount Rs. 1,50,000 plus interest thereon of Sonu Nayak, Rs. 50,000 have to be fixed in any nationalized bank for 3 years in his name and rest amount should be transferred into his bank account as he is major now. Out of share amount Rs. 1,00,000 plus interest thereon of Har Narayan and Laad Kuwar each, Rs. 50,000 each have to be fixed in any nationalized bank for 3 years in their names and rest amount should be transferred into their bank accounts.

### **ORDER**

Punjab National Bank Jhokan Bagh Jhansi is ordered that out of share amount Rs. 3,26,000 plus interest thereon of Swarn Lata, fix deposit Rs. 2,00,000 for 3 years in her name and transfer rest amount into her bank account no. 20310253291 of State Bank of India at Newari MP. Out of share amount Rs. 1,50,000 plus interest thereon of Sonam Nayak, fix deposit Rs. 50,000 for 3 years in her name and transfer rest amount into her bank account no. 35704812051 of State Bank of India at Barua Sagar Jhansi. Out of share amount Rs. 1,50,000 plus interest thereon of Sonu Nayak, fix deposit Rs. 50,000 for 3 years in his name

and transfer rest amount into his bank account no. 36154330016 of State Bank of India at Barua Sagar Jhansi. Out of share amount Rs. 1,00,000 plus interest thereon of Har Narayan and Laad Kuwar each, fix deposit Rs. 50,000 each for 3 years in their names and transfer rest amount equally into their bank account nos. 32323299904 and 80024848786 of State Bank of India at Newari MP respectively.

Award fully satisfied. Record be consigned.

(Presiding Officer)

MACT, JHANSI