

Misc. Case No. 47 of 2020 Sharon Anthony and ors. Vs. Ajay Kumar and ors. Related MACP No. 16 of 2019⁷ and Misc. No. 839 of 2019

10/07/2020

The case is presented before the Tribunal in Virtual Court on 09.07.2020. Due to the increasing prevalence of COVID-19, Ld. Counsel for applicants is heard through video conferencing. The applicants Sharon Anthony, Joyana Reet, Agatha Marry and Magdalene Rose are also present on video conference.

Perused the summoned record of the MACP No. 16 of 2019⁷ which makes it clear that on the basis of merit, a compensation of Rs. 15,07,000 with 7% simple interest from the date of institution of petition till actual recovery was awarded by MACT/Additional District (Court No. 6) Jhansi in favour of applicants on date 23/10/2019 which was paid by the New India Insurance Company Limited. According to release order dated 21.12.2019 in Misc. No. 839 of 2019, the amount Rs. **17,77,820** have been deposited in the Tribunal's account of Syndicate Bank in the matter of MACP No. 16 of 2019⁷. This Misc. case has been instituted by the applicants in order to get the deposited amount and interest thereon in their accounts in terms of the award since previous order dated 21.12.2019 could not be executed because of establishment of separate Motor Accident Claim Tribunal Jhansi. The affidavit of applicant Sharon Anthony is available on the record of Misc. case as per which neither appeal is preferred nor she has knowledge that appeal is pending in the Hon'ble High Court or stay is effective. As per award, petitioner/applicant No. 2 Joyana Reet has to get Rs. 5,00,000 which have to be fixed upto her majority in any nationalised bank carrying maximum interest. Petitioner/Applicant No 1 Sharon Anthony has to get Rs. 5,00,000 plus total interest of which 20% have to be transferred in her account and 80% have to be fix deposited in any nationalised bank for 6 months in her name. Petitioner/applicant No. 3 Agatha Marry has to get Rs. 3,00,000 of which 20% have to be transferred in her account and 80% have to be fix deposited in any nationalised bank for 6 months in her name. Petitioner/applicant No. 4 Magdalene Rose has to get Rs. 2,07,000 of which 20% have to be transferred in her account and 80% have to be fix deposited in any nationalised bank for 6 months in her name. Applicants stated their bank account nos. as following—

Sharon Anthony 92352010008854 — Syndicate Bank

Agatha Marry 92352010008840 — Syndicate Bank

Magdalene Rose 92352010008869 — Syndicate Bank

Photocopies of abovementioned a/c nos. have been placed on the record.

In the light of above, I am of the view that the ammount deposited should be released in favor of the remaining applicants and put release order in Misc. No. 839 of 2019 in abeyance. Hence,

ORDER

Syndicate Bank Jhokan Bagh Jhansi is ordered to disburse deposited ammount as following—

Applicant/ Petitioner	Ammount in Rs.	+ (% of) Interest Accrued on Deposited Amount	Mode of disbursem ent	Account Number	Bank	IFSC
1. Sharon Anthony	616656	26.55	FD for 6 Month		Any Nationalised Bank	
1. Sharon Anthony	154164	6.63	RTGS/NEFT	9235201 0008854	Syndicate Bank	SYNB00 09235
2. Joyana Reet	500000	33.18	FD upto majority		Any Nationalised Bank carrying max. interest	
3. Agatha Marry	240000	15.93	FD for 6 Month		Any Nationalised Bank	
3. Agatha Marry	60000	3.98	RTGS/NEFT	9235201 0008840	Syndicate Bank	SYNB00 09235
4.Magdale ne Rose	165600	10.98	FD for 6 Month		Any Nationalised Bank	
4.Magdale ne Rose	41400	2.75	RTGS/NEFT	9235201 0008869	Syndicate Bank	SYNB00 09235
TOTAL	1777820	100				

(Presiding Officer)
MACT, JHANSI