

Misc. Case No. 73 of 2020 Smt. Rani and ors. Vs. Mahendra Singh Lodhi and ors. related MACP No. 43 of 2018

**01.12.2020**

The case was presented before the Tribunal in Virtual Court. The applicants Smt. Rani, Gaurav Soni and Saurabh Soni were present on video conference on previous date. Due to the increasing prevalence of COVID-19, I have heard Learned Counsel of the applicants through video conferencing.

Perused the summoned record of the MACP No. 43 of 2018 which makes it clear that on the basis of merit, a compensation of Rs. 4,47,000 with 7% simple interest was awarded by MACT/ADJ Jhansi (Court No. 3) in favor of applicants on date 30.05.2019. As per office report, in compliance of the award amount ₹ 4,66,852 had been paid by the National Insurance Company and the amount was deposited in the Tribunal's Syndicate Bank Account. This case has been instituted by the applicants to release the amount and interest thereon in their bank accounts in terms of the order of the Hon'ble High Court. The affidavit of applicant Rani Soni in support of release application is available on the record. As per application appeal was preferred by the OP before Hon'ble High Court Allahabad which is FIRST APPEAL FROM ORDER No. - 2918 of 2019 in which following order has been passed on Date :- 21.10.2019-

**"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 Out of the entire deposited amount, 50% shall be allowed to be withdrawn by claimants and 50% shall be invested in a Fixed Deposit Account-carrying maximum interest for minimum period of three years and the interest on it be paid to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."**

Applicants are literate and major now. In the light of the above, I am of the view that deposited amount should be disbursed accordingly.

**REVISED ORDER OF PREVIOUS ORDER DATED 04.09.2020**

Syndicate Bank Jhokan Bagh Jhansi is ordered to disburse deposited amount of MACP No. 43 of 2018 Smt. Rani and ors. Vs. Mahendra Singh Lodhi and ors. according to the following sheet-

Applicant/ Petitioner	Amount in Rs.	+(% of) Interest Accrued on Deposited Amount	Mode of disbursement	Bank Account Number	Bank	IFSC
1. Smt. Rani	108426	23.22	Elect. Mode <u>RTGS/NEFT</u>	63100201 0002430	Union Bank of India Jhansi	UBIN056 3102
2. Gaurav Soni	62500	13.39	<del>Hold the ....</del> Elect. Mode RTGS/NEFT	63100201 0004027	Union Bank of India Jhansi	UBIN056 3102
3. Saurabh Soni	62500	13.39	Elect. Mode <u>RTGS/NEFT</u>	63100201 0003644	Union Bank of India Jhansi	UBIN056 3102
Motor Accident Claim Tribunal Jhansi	233426	50	<b><u>FD for 3 years, interest of which shall be paid in the Bank Accounts of the Applicants/P etitioners in the ratio of 48:26:26</u></b>		Any Nationaliz ed Bank carrying maximum interest	
<b>TOTAL</b>	<b>466852</b>	<b>100</b>				

A/c of Gaurav Soni added vide order dated 07.12.2020 & holding removed on 10.12.2020 (Presiding Officer)

PO, MACT, JHANSI

MACT, JHANSI