

Misc. Case No. 84 of 2020 Mohan Singh and ors. Vs. Suresh Chandra and ors.
related MACP No. 152 of 2017

07.08.2020

The case was 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 Pooja, Aryan, Shiv Charan and Shanti were also present on video conference.

Perused the summoned record of the MACP No. 403 of 2017 which makes it clear that on the basis of merit, a compensation of Rs. 3,98,000 with 7% simple annual interest was awarded by MACT/ADJ Jhansi (Court No. 5) in favor of applicants on date 30.08.2019 which was paid by the United India Insurance Company Limited. As per office record, the amount Rs. **4,43,589** have been deposited in the Tribunal’s Syndicate Bank account. This Misc. case has been instituted by the applicants in order to get the awarded amount and interest thereon back in their accounts in terms of the award. The affidavit of applicant Mohan Singh in support of release application is available on the record of the Misc. case as per which appeal has been preferred before Honb’le High Court of Judicature at Allahabad by the Insurance Company as FAFO D 61 of 2020 in which following order has been passed–

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 Out of the entire deposited amount, 50% shall be allowed to be withdrawn by claimants and 50% shall be invested in a Fixed Deposit Account-carrying maximum interest for minimum period of three years and the interest on it be paid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

In the light of the award and order of Honb’le High Court, I am of the view that deposited amount should be disbursed accordingly.

ORDER

Syndicate Bank Jhokan Bagh Jhansi is ordered to disburse deposited amount of MACP No. 152 of 2017 Mohan Singh and ors. Vs. Suresh Chandra and ors. according to the following sheet–

Applicant/ Petitioner	Ammou nt in Rs.	+ (% of) Interest Accrued on Deposited Amount	Mode of disbursement	Bank Account Number	Bank	IFSC

1. Mohan Singh	55725	12.56	<u>FD for 3 Years</u>		Any Nationalized Bank carrying highest interest	
1. Mohan Singh	54613	12.32	Elect. Mode RTGS/NEFT	92352010009561	Syndicate Bank	SYNB0009235
2. Devendra Singh	27864	6.28	<u>FD for 3 Years</u>	92352010009538	Any Nationalized Bank carrying highest interest	SYNB0009235
3. Manjee	27864	6.28	<u>FD for 3 Years</u>	92352010009576	Any Nationalized Bank carrying highest interest	SYNB0009235
4. Shilu	27864	6.28	<u>FD for 3 Years</u>	92352010009542	Any Nationalized Bank carrying highest interest	SYNB0009235
5. Rohit	27864	6.28	<u>FD up to the majority</u>		Any Nationalized Bank carrying highest interest	
MACP No. 152 of 2017 Motor Accident Claim Tribunal, Jhansi	221795	50	<u>FD for 3 Years carrying highest interest and interest of which shall be paid in the Bank Accounts of the petitioners 1, 2, 3, 4 mentioned in column 5 in the proportion as mentioned in column 3. Proportionate share of the petitioner No. 4 shall be paid after his majority.</u>			
TOTAL	443589	100				

(Presiding Officer)

MACT, JHANSI