

Misc. Case No. 85 of 2020 Smt. Rajni and ors. Vs. Major General N. K. Kapoor and ors. related MACP No. 113 of 1990 and related Misc. 113 of 1990 (Execution)

06.08.2020

The case is 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 also appeared on video conference.

Perused the record of the Misc. No. 700 of 2017 and Misc. 85 of 2020 supported by the affidavit of Smt. Rajni Srivastav, which makes it clear that on the basis of merit in the MACP No. 113 of 1990, a compensation of Rs. 1,02,000 was awarded by MACT/ADJ Court No. 4 Jhansi in favour of applicant on date 28.10.1994. On appeal for enhancement of compensation Honb'le High Court passed following order on 22.09.2017 in F.A.F.O. No.- 2694 OF 2017-

"It is made clear that the respondent will deposit the enhanced amount of compensation Rs. 2,39,000 together with 9% interest from the date of filing of the claim petition till the date of deposit, within a period of three months from today, failing which the claimants-appellants will be entitled to interest @ 12% on the enhanced amount of compensation, from the date of filing of the claim petition."

As per the application, amount of Rs. 10,70,720 has been paid by the opposite parties through cheque which has been deposited in the Tribunal's Syndicate Bank on 06.01.2020. As per Syndicate Bank Report on phone to Reader, the amount of **Rs. 10,70,720** is available in the matter of MACP No. 113 of 1990.

Applicants have right to get their amount back.

Applicants have submitted their bank account nos. and Aadhar Cards.

In the light of above, I am of the view that compensation amount should be disbursed according to the Judgment passed.

ORDER

Syndicate Bank Jhokan Bagh Jhansi is ordered to disburse deposited amount of **MACP No. 113 of 1990 Smt. Rajni and ors. Vs. Major General N. K. Kapoor and ors.** according to following sheet-

Applicant/ Petitioner	Ammount in Rs.	+(% of) Interest Accrued on Deposited Amount	Mode of disbursement	Bank Account Number	Bank	IFSC
1. Rajni Srivastav	356908	34	E. Mode/ RTGS/ NEFT	01100041 7401	Rani Laxmi Bai Urban Co-Op. Bank LTD	HDFCO CRLUCB
2. Gaurav Khare	356906	33	E. Mode/ RTGS/ NEFT	20250110 021866	UCO Bank	UCBA00 02025
3. Saurav	356906	33	E. Mode/ RTGS/ NEFT	41058100 008672	Bank Of Baroda	BARBOA ANTIY
TOTAL	1070720	100				

(Presiding Officer)

MACT, JHANSI