

Motor Accident Claim Tribunal Jhansi

Misc. No. 121 of 2021 (MACP No. 276 of 2017)
Permanand Gautam and Ors. vs. Jagdish Verma & Ors.
10.07.2021

The case presented before the Tribunal in Lok Adalat. Applicants with their Counsel appeared virtually. Through **Application 3B** applicants have prayed for release of award amount.

Heard and perused the record which transpires that on the basis of compromise award of ₹6,50,000 was passed by the **MACT Jhansi** in **MACP No. 276 of 2017 on date 04.03.2021** in favour of the applicants/claimants **Permanand Gautam, Smt Ram Sakhi and Km. Vandana Gautam** with share 35, 35 & 30 percent respectively of which 75 percent each have to be invested in annuity for 3 years. Cholamandalam General Insurance Co. was also ordered to deposit the award amount in Tribunal's Punjab National Bank account.

As per office report Insurance Company have deposited ₹6,50,000 in Tribunal's Canara Bank Account electronically through UTR No. 70211436522959 on date 11.03.2021. Cholamandalam General Insurance Co. have deposited the award amount in Canara Bank instead of Punjab National Bank despite specific directions. It is noteworthy that Canara Bank does not have annuity facility. The Tribunal take exception to the act of flouting by Cholamandalam General Insurance Co. and is warned for non-compliance of Tribunal's order in letter and spirit.

In support of release application 3B, the affidavit 4C2 is available on the record. Bank details and Aadhar Cards of applicants are placed on record. Claimants further prayed that they are in dire need of money for marriage of Km. Vandana, hence 50% of their shares be released in their bank accounts.

Considering all the facts and circumstances, I am of the view that applicants are entitled to get 50% of their shares in their bank accounts directly and 50% in annuity accounts. Hence-

| ORDER | | | | | | | | |
|--|----------|-----------------|-----------------------|---|-------------------------|------------------------|---|-------------|
| Canara Bank is ordered to disburse according to following sheet- | | | | | | | | |
| Applicant/ Petitioner | Share(%) | Annuity/Cash(%) | Distributed Amount | +(% of) Interest Accrued on Deposited Amount | Mode of Disbursement | Bank Account Number | Bank | IFS Code |
| 1. Permanand Gautam | 35.00 | 50 | ₹113,750.00 | 17.5 | Electronic Mode | 110003376591 | Canara Bank | CNRB0019235 |
| 1. Permanand Gautam | | 50 | ₹113,750.00 | 17.5 | Annuity for 3 years | | Punjab National Bank Jhokan Bagh Jhansi | |
| 2. Smt Ram Sakhi | 35.00 | 50 | ₹113,750.00 | 17.5 | Electronic Mode | 110003376591 | Canara Bank | CNRB0019235 |
| 2. Smt Ram Sakhi | | 50 | ₹113,750.00 | 17.5 | Annuity for 3 years | | Punjab National Bank Jhokan Bagh Jhansi | |
| 3. Km. Vandana Gautam | 30.00 | 50 | ₹97,500.00 | 15 | Electronic Mode | 1147000110100237 | PNB | PUNB0114700 |
| 3. Km. Vandana Gautam | | 50 | ₹97,500.00 | 15 | Annuity for 3 years | | Punjab National Bank Jhokan Bagh Jhansi | |
| | | | ₹0.00 | 0 | | | | |
| | | | ₹0.00 | 0 | | | | |
| | | | ₹0.00 | 0 | | | | |
| | | | ₹0.00 | 0 | | | | |
| | 100 | | ₹650,000.00 | 100 | | | | |
| TOTAL | | | 650000 | | | | | |
| Figures may be rounded off by the bank | | | | | | | | |
| Copy of order be sent to Cholamandalam General Insurance Co. | | | | | | | | |
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