

Misc. No. 137 of 2020 (MACP No. 199 of 2018)
Smt. Rajkumari and Ors. vs. Atar singh & Ors.
10.07.2021

The case has been presented before the Tribunal. Applicant/claimants with their Counsel appeared virtually on previous date. Through **Application 3B** applicant has prayed for release of compensation amount.

Heard and perused the record which transpires that on the basis of merit award of ₹57,76,836 with 7% simple annual interest from date of institution of petition was passed by the **MACT Jhansi/ADJ Court No. 6 in MACP No. 199 of 2018 on date 14.03.2019** in favour of Claimants Claimant No. 2 to 9 have to share ₹5 Lac each of which ₹3Lac have to be fix deposited for 3 years. Similarly, Claimant No.10 has to share ₹5Lac. Rest amount with interest have to be shared by Claimant No.1 of which ₹8Lac have to be fixed for 3 years.

Oriental Insurance Co. preferred appeal (FAFO No. 1810 of 2019) against award in which following order has been passed by the Hon'ble High Court Allahabad-

3. Execution of award shall remain stayed provided entire awarded amount is deposited in the court below within one month. On such deposit, 50 percent shall be released in terms of award without furnishing any security and remaining 50 percent shall be released after furnishing adequate security to the satisfaction of court below, in favour of claimants-respondents, but the same shall be subject to result of this appeal. The amount already deposited at the time of filing this appeal shall be remitted forthwith to court below.

4. We make it clear that record shall be sent by court below after amount is deposited by appellant and claimants-respondents are allowed to withdraw the amount in terms of impugned judgment and award.

According to office report Insurance Co. has deposited ₹61,32,062 on 25.7.2019 which are available in Tribunal's Syndicate Bank Account. Office has also reported that original record has been sent to High Court. Applicant/claimant Rajkumari has stated in her application that she has received half amount and she has applied for remaining half after furnishing security. Security of Tailu has been found adequate and has been accepted.

In support of release application 3B, the affidavit 4C2 is available on the record. Bank details and Aadhar Cards of Claimants has been placed on record.

Considering all the facts and circumstances, I am of the view that Claimants are entitled to get their shares out of amount ₹30,66,031. as following sheet-

P.T.O

Motor Accident Claim Tribunal Jhansi

ORDER								
Syndicate 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. Smt. Rajkumari	26.62	62.6	₹511,090.32	16.66944	Fixed Deposit for 3 years		Any Nationalised Bank	
1. Smt. Rajkumari		37.4	₹304,941.04	9.945791	Electronic Mode	92352010008091	Syndicate Bank Govind Chouraha Jhansi	SYNB0009235
2. Km. Jyoti Rani	8.15	60	₹150,000.00	4.892318	Fixed Deposit for 3 years		Any Nationalised Bank	
2. Km. Jyoti Rani		40	₹100,000.00	3.261546	Electronic Mode	92352010008950	Syndicate Bank Govind Chouraha Jhansi	SYNB0009235
3. Km. Aarti Rani	8.15	60	₹150,000.00	4.892318	Fixed Deposit for 3 years		Any Nationalised Bank	
3. Km. Aarti Rani		40	₹100,000.00	3.261546	Electronic Mode	92352010008107	Syndicate Bank Govind Chouraha Jhansi	SYNB0009235
4. Km. Pooja Rani	8.154	60	₹150,000.00	4.892318	Fixed Deposit for 3 years		Any Nationalised Bank	
4. Km. Pooja Rani		40	₹100,000.00	3.261546	Electronic Mode	92352010008970	Syndicate Bank Govind Chouraha Jhansi	SYNB0009235
5. Km. Meena Rani	8.154	60	₹150,000.00	4.892318	Fixed Deposit for 3 years		Any Nationalised Bank	
5. Km. Meena Rani		40	₹100,000.00	3.261546	Electronic Mode	3671000101190737	Punjab National Bank Jokhanbagh	PUNB0367100
6. Km. Sonam	8.154	60	₹150,000.00	4.892318	Fixed Deposit for 3 years		Any Nationalised Bank	
6. Km. Sonam		40	₹100,000.00	3.261546	Electronic Mode	92352010008111	Syndicate Bank Govind Chouraha Jhansi	SYNB0009235
7. Km. Priyanka	8.154	60	₹150,000.00	4.892318	Fixed Deposit for 3 years		Any Nationalised Bank	
7. Km. Priyanka		40	₹100,000.00	3.261546	Electronic Mode	92352010008931	Syndicate Bank Govind Chouraha Jhansi	SYNB0009235
8. Km. Dipti	8.154	60	₹150,000.00	4.892318	Fixed Deposit for 3 years		Any Nationalised Bank	
8. Km. Dipti		40	₹100,000.00	3.261546	Electronic Mode	92352010008946	Syndicate Bank Govind Chouraha Jhansi	SYNB0009235
9. Km. Poonam	8.154	60	₹150,000.00	4.892318	Fixed Deposit for 3 years		Any Nationalised Bank	
9. Km. Poonam		40	₹100,000.00	3.261546	Electronic Mode	3671000101190764	Punjab National Bank Jokhanbagh	PUNB0367100
10. Ashish Dhanraj (Minor)	8.154	100	₹250,000.00	8.153864	Fixed Deposit up to Majority		Any Nationalised Bank	
	100		₹3,066,031.36	100				
TOTAL			3066031					
Figures may be rounded of by the bank							Presiding Officer	
Date:10.07.2021							Motor Accident Claim Tribunal Jhansi	