

LOK ADALAT
IN THE MOTOR ACCIDENT CLAIMS TRIBUNAL (AUX.)
CITY CIVIL COURT, AT AHMEDABAD

M.A.C. PETITION NO.337 OF 2023

ORDER BELOW EXH.01:-

- 1] In view of the pursis **Exh:14** passed by both the parties, compromise has taken place between the parties in National Lok Adalat held on 14/09/2024. The applicants have agreed and is willing to accept compensation amount of **Rs.8,22,000/- (Rupees Eight Lakh Twenty Two Thousand Only)** from the **Opponent No.3**-Insurance Company and the said Insurance Company has accepted its full and final liability to pay the compensation to the applicant. Hence, the compromise is recorded.
- 2] The amount of Court fees if paid, be refunded to petitioners as provided under Sec.21 of the Legal Services Authority Act, 1987.
- 3] The claimants are directed to submit following details within one week from today:-
 - (a) Name of the claimants/victims with address;
 - (b) Name of the Bank & Branch, Bank IFSC Code, Account Number of the claimants/victims;
 - (c) First page of Bank passbook compulsorily containing photograph of the claimants/victims duly attested by the Bank concerned, should be made available.
 - (d) Wherever the claimants/victims are impleaded as respondents, before the Claims Tribunal, their account details as above, shall have to be furnished.
- 4] The opponent Insurance company shall deposit the amount as directed in Circular No.08/2022 dated 01/02/2022 in Account Name:- MACT, City Civil & Sessions Court, Account No.00000040749456872, IFSC Code: SBIN0000301 and on such deposits being made, the opponent Insurance Company shall submit a letter to the Registry of City Civil Court, Ahmedabad enclosing a copy of the said bank advice, in prescribed format as above, as per which the deposit was made to the bank account of the Claims Tribunal, to enable the Claims Tribunal to keep tab on the deposits made and the MACPs for which they were made, which is a fundamental need for a smooth implementation.

The payment advice for remittance of compensation is as under:-

PAYMENT ADVICE FOR REMITTANCE OF COMPENSATION

From: (Name of Bank)

To : (Name of Court)

We confirm remittance of compensation as follows on instructions of the opponent Insurance Company:

1)	M.A.C.P. Number
2)	On the file of (Name of Claims Tribunal)
3)	Place
4)	Date of Award
5)	Amount deposited
6)	Income Tax Deduction at Source, if any Unique Transaction Reference (UTR) No.

- 4.1]** The opponent Insurance Company making such deposit, shall also send a copy of the payment advice in the aforesaid Clause to the Claims Tribunal concerned and serve a copy of the same on the claimants or their Counsel as the case may be.
- 4.2]** Insofar as tax deduction at source is concerned, Form 16A of the Income Tax Act should be provided to the claimants/victims on whose behalf the deduction has been made so as to enable them to seek refund of tax deducted.
- 4.3]** The amount of compensation shall be apportioned between the claimants Nos.1, 2, 3, 4, 5 & 6 in the ratio of **70:10:5:5:5:5**. Further, out of the amount of compensation deposited by the opponent Insurance Company as aforesaid, the amount of compensation shall be disbursed in the following manner:-

Claimant Nos.4,5& 6 (Minors):

- (a) Out of the amount, **75%** amount of the applicants shall be invested in any nationalized bank in the joint name of **applicant No.2** for 5 years (named by the applicant No.2) **OR** till the respective applicants become major, whichever is later.
- (c) Thereafter, remaining **25%** amount shall be paid to the concerned claimants by account payee cheque after legal and physical verification.

Claimant Nos.1 , 2 & 3 :

- (a) Out of the compensation amount, **50%** amount of shall be deposited in a Fixed Deposit Scheme of any nationalized bank of the choice of the concerned claimants for a period five years. The claimants will not be entitled to withdraw any loan, advance from this fixed deposit without prior permission of this Tribunal. However, the claimants are entitled for periodical interest thereon.
 - (c) lastly, the remaining **50%** amount shall be paid to the concerned claimants by account payee cheque after legal and physical verification.
- 5]** Award to be drawn accordingly in terms and conditions of the compromise arrived at between the parties in National Lok Adalat.
 - 6]** The present matter is disposed of accordingly.
 - 7]** PDF Copy of this order be sent to Opponent Insurance Company through email.

Pronounced in the **LOK ADALAT** on 14th **September, 2024** in the **Open Court**.

Date : 14.09.2024
Place : Ahmedabad.

(D.A.VORA)
Judge, MACT(AUX),
City Civil Court, Ahmedabad
Unique ID Code No.GJGJ00625