**IN THE COURT OF DR. SHIRISH AGGARWAL
PRESIDING OFFICER: MOTOR ACCIDENT CLAIMS
TRIBUNAL-01: PATIALA HOUSE COURTS, NEW DELHI**

DLND010083762024

Misc DJ No. 3547/24

Sh. Sunil Kumar
S/o Sh. Lalan Kumar,
R/o B-188, Janta Vihar, Mukundpur,
New Delhi. …...Claimant/Injured

Versus

1. Sh. Mansur Ahmad (Driver)
S/o Mohd. Ali,
R/o Village Dharavar, PS Kurwar,
District Sultanpur, U.P.

2. Sh. Virender Singh Yadav (Owner)
S/o Sh. Harphool Singh Yadav,
R/o D-17, Karampura, New Delhi.

3. Go Digit General Insurance Company Ltd. (Insurer)
Atlantis, 95, 4th B Cross Road,
Karamangala Industrial Layout, 5th Block,
Bengaluru, Karnataka. ......Respondents

Date of filing of DAR	:	14.10.2024
Date of award	:	03.06.2026

AWARD

1. The matter has been settled between the claimant

and Insurance Company for a total sum of Rs.8,00,000/-(Rupees Eight Lakh only) in full and final settlement of claim amount. Separate statements of claimant and Ld. Counsel for Insurance Company have been recorded in this regard.

2. In view of statements made, an award in the sum of Rs.8,00,000/-(Rupees Eight Lakh only) in favour of the claimant and against Insurance Company is passed towards full and final settlement of claim of the claimant for compensation in respect of injuries suffered by him in the accident, which is subject matter of present DAR arising out of FIR no.223/24, under Sections 281/125B BNS, PS Naraina.

3. Out of the awarded amount, 70% amount is directed to be kept with UCO Bank, Patiala House Court, New Delhi in the **Motor Accident Claims Annuity Deposit (MACAD)** in form of 36 monthly fixed deposit receipts (FDRs) of equal amounts for a period of 1 to 36 months in succession, as per scheme formulated by the **Hon'ble Delhi High Court vide order dated 01.05.2018 in FAO No. 842/2003, titled as Rajesh Tyagi & Ors. Vs. Jaibir Singh & Ors.** and as implemented vide **subsequent order dated 07.12.2018 and order dated 08.01.2021** passed in the said case. The amount of FDRs on maturity would be released in his saving/MACT Claims SB Account opened/to be opened near the place of his residence, as directed vide Order dated 14.10.2024 and remaining 30% amount is directed to be released into his above said account, which can be withdrawn through withdrawal form and utilized by him.

The disbursement to the claimant is, however, subject to addition of proportionate future interest and also deduction of proportionate tax on the interest amount or amount of interim award, if any, to/from his share.

The bank shall not permit any joint names to be added in the savings bank account or MACAD scheme account of claimant i.e. the bank account of claimant shall be individual account and not a joint account.

The original fixed deposits shall be retained by the UCO Bank, PHC, New Delhi in safe custody. However, the statement containing FDR numbers, amounts, dates of maturity and maturity amounts shall be furnished by the said bank to the claimant and the above amount shall be released in account of claimant by the Manager, UCO Bank, PHC, ND through RTGS/NEFT/or any other electronic mode.

The monthly interest be credited by Electronic Clearing System (ECS) in the saving bank account of the claimant near the place of his residence.

The maturity amount of the FDR (s) on monthly basis net of TDS be credited by Electronic Clearing System (ECS) in the above account of claimant.

No loan, advance or withdrawal or pre-mature discharge be allowed on the MACAD without permission of the Court.

4. Respondent no. 3 is directed to deposit the award amount with the UCO Bank, Patiala House Court Branch by RTGS/NEFT/IMPS in bank account of this tribunal being maintained with the above said bank within 30 days from today, failing which it is liable to pay interest at the rate of 9% per annum for the period of delay. In case even after lapse of 90 days

from today, respondent no. 3 fails to deposit this compensation with interest, in that event, in light of the judgment of the Hon'ble High Court of Delhi in the case of New India Assurance Company Limited Vs. Kashmiri Lal, 2007 ACJ 688, this compensation shall be recovered by attaching the bank account of the insurance company with a cost of Rs.5,000/-.

5. A copy of this award be given to the parties free of cost and be sent by email. Ahlmad is directed to send the copy of the award to the concerned Judicial Magistrate and Delhi Legal Services Authority, New Delhi District in view of Judgment titled as Rajesh Tyagi Vs. Jaibir Singh & Ors. passed in FAO no.842/2003 dated 12.12.2014.

6. Further, Nazir is directed to maintain the record in Form XVIII as per the directions given by the Hon'ble Delhi High Court in Rajesh Tyagi's case on 08.01.2021.

7. The particulars of Form-XVII of the Modified Claims Tribunal Agreed Procedure, in terms of directions given by the Hon'ble Delhi High Court in the Rajesh Tyagi Vs. Jaibir Singh & Ors.(supra) on 08.01.2021, are as under:-

1.	Date of the accident	12.07.2024
2.	Date of filing of ***Form I- First Accident Report (FAR)***	Not given
3.	Date of delivery of ***Form-II*** to the victim(s)	Not given
4.	Date of receipt of ***Form-III*** from the Driver	Not given
5.	Date of receipt of ***Form-IV*** from the owner	Not given
6.	Date of filing of the ***Form-V-Interim Accident Report (IAR)***	Not given

7.	Date of receipt of ***Form-VIA** and* ***Form VIB*** from the Victim (s)	Not given
8.	Date of filing of ***Form-VII-Detailed Accident Report (DAR)***	14.10.2024
9.	Whether there was any delay or deficiency on the part of the Investigating Officer? If so, whether any action/direction warranted?	No
10.	Date of appointment of the Designated Officer by the Insurance Company.	Not given
11.	Whether the Designated Officer of the Insurance Company submitted his report within 30 days of the DAR?	No
12.	Whether there was any delay or deficiencies on the part of the Designated Officer of the Insurance Company? If so, whether any action/direction warranted?	Yes
13.	Date of response of the claimant(s) of the offer of the Insurance Company.	03.06.2026
14.	Date of the award	03.06.2026
15.	Whether the claimant(s) were directed to open savings bank account(s) near their place of residence?	Yes
16.	Date of order by which claimant(s) were directed to open savings bank account(s) near his place of residence and produce PAN Card and Adhaar Card and the direction to the bank not issue any cheque book/debit card to the claimant (s) and make an endorsement to this effect on the passbook(s).	14.10.2024
17.	Date on which the claimant(s) produced the passbook of their	Yet to furnish

	savings bank account near the place of their residence along with the endorsement, PAN Card and Adhaar Card?	
18.	Permanent Residential Address of the claimant(s)	As mentioned above
19.	Whether the claimant(s) savings bank account(s) is near his place of residence?	Yet to furnish
20.	Whether the claimant(s) were examined at the time of passing of the award to ascertain his/their financial condition?	No

8. File be consigned to record room after necessary formalities. A separate file be prepared for compliance report and be put up on 25.07.2026.

SHIRISH AGGARWAL

Digitally signed by SHIRISH AGGARWAL
Date: 2026.06.03 16:42:23 +0530

Announced in the open court on 03.06.2026

(Shirish Aggarwal)
PO/MACT-01, New Delhi District,
Patiala House Courts Complex,
New Delhi