## ORDER BELOW EXH: 1 IN M.A.C. PETITION. No.64 OF 2019

1. Parties have produced Compromise pursis at **Exh.22.** As per order passed below Compromise pursis, the same is recorded and accepted.

2. The claimants as well as the opponent – **National Insurance Company Ltd.** have entered into compromise settling the claim to the tune of **Rs.12,00,000=00 with National Insurance Company Ltd.** The Compromise pursis produced by the parties is read over to them. Thus, this Tribunal is of the opinion that the settlement arrived between the parties is legal and within the purview of subject matter of the claim petition and also in the interest of claimant. The compromise is, therefore, recorded in exercise of the powers conferred under Order 23 of the Civil Procedure Code. Hence following order is passed:

**: ORDER :**

1. **Opponent- National Insurance Company Ltd.** is hereby directed to deposit **Rs.12,00,000=00** in the office of this Tribunal towards full and final compensation as settled after deducting the amount of interim compensation, if any paid U/Sec.140 of M.V. Act, within one month from the date of this order failing which claimant shall be entitled to claim interest @ 7.5%.
2. The office shall not deduct or recover the amount of Court fees from the awarded amount deposited with this Tribunal, as the matter is compromised in National Lok-Adalat. Moreover parties to bear their own costs.
3. Court Fees Refund Certificate, as the case may be, be issued in the name of the claimants/ Ld. Advocate appearing on behalf of claimant, if he has paid Court fees, if any.
4. On depositing the amount of compensation,the amount be disbursed between the claimants in the ratio of **60:10:10:20.** Out of which, **50%** amount be deposited in **Fixed Deposit** in the name of claimants No.1 & 4 in any Nationalized Bank for the period of **Six (6)** Years and the remaining **50%** amount be paid to the claimant No.1 & 4 **by an Account Payee Cheque** on due verification and identification.
5. However, the share of minor claimants No. 2 & 3 are concerned, total share of minor claimants be deposited in **Fixed Deposit** in the name of minor claimants along with their legal guardian for the period of 6 years or till the minor claimants attend the age of majority whichever is later.
6. The aforesaid Fixed Deposit be made with the condition that no any facility by way of loan, over-draft or cash credit shall be available on the aforesaid investment and the Bank shall not allow the claimant to create any burden upon such deposit. However, the claimant is entitled to receive the periodical interest accrued on the aforesaid FDR.
7. At the maturity of above period of FDR, the bank shall pay the principal amount to the concerned claimant without any further order of the Tribunal.

3. In view of the above, the present claim petition stands disposed off accordingly as compromised in **National Lok-Adalat.**

**(H.G. Pandya)**
**M.A.C. Tribunal (Aux.) &**
**13th Addl. District Judge,**
**Vadodara. Code No: GJ-00705**

**Date :10/07/2021.**
**Place : Vadodara.**