



IN THE MOTOR ACCIDENT CLAIMS TRIBUNAL
(AUXI.) & 2nd ADDITIONAL DISTRICT COURT, B.K.
DISTRICT @ PALANPUR

ORDER BELOW EXH.1 IN MACMA NO.260/2026

1. The present applicants have preferred this application to release the amount of fixed deposits bearing receipt nos.1957800, 1957804, 1957803 & 1957801 lying with Oriental Bank of Commerce (At present Punjab National Bank), Palanpur Branch which were due on 21/09/2024.

2. Heard Learned Advocate Shri J.N.Patel for the applicants. It is submitted by the learned advocate Mr. Patel that present applicants have preferred MACP No.230/2010 before the M.A.C. Tribunal (Aux.), Palanpur in which judgment and award order was passed by the tribunal on dt.19/09/2018 but opponent insurance company has preferred an appeal before the Hon'ble High Court of Gujarat bearing R/First Appeal No.977/2019 in which order was also passed by the Hon'ble High Court on dt.05/02/2026 and as per the order of the Hon'ble High Court the FDR is in the custody of Nazir, District Court, Palanpur and therefore present applicants have prayed to release the custody of the FDR and give the award amount to the applicants as per the

direction of the Hon'ble High Court.

3. Looking to the endorsement made by Registry, R/First Appeal No.977/2019 was preferred by the opponent insurance company before the Hon'ble High Court of Gujarat in which on dt.05/02/2026, Hon'ble High Court has passed order which is as under :

"Learned Advocate for the respondents pointed out that the captioned appeal may not deserve the consideration on merits owing to the smallness of the amount awarded to the claimants. It is noticed that the learned Tribunal has awarded an amount of Rs.4,72,833/- to the claimants. This is a small and meager amount and considering the aspect of having no dispute in regards to the road accident, I am of the opinion that this appeal may not deserve consideration, more particularly on the ground of smallness of amount. Accordingly, present first appeal stands dismissed."

4. Thus as per the order passed by the Hon'ble High Court, said appeal has been dismissed by the Hon'ble High Court and none has appeared on behalf of the opponent insurance company before this tribunal nor any review is filed before this tribunal regarding the award amount passed by the tribunal and moreover perusing both the FDR's it appears that all the FDR's were invested on 21/09/2019 and has successfully matured on 21/09/2024 and since the award amount of all the FDR's is small

and meager and as per the order of the Hon'ble High Court as mentioned above, said appeal has also been dismissed, therefore this tribunal deems fit that the looking to the small and meager amount of both the FDR's, the entire amount shall be given to the applicants and hence I pass the following order.

ORDER

- Present application is hereby allowed.
- Nazir, District Court is hereby directed to release the FDR's of the applicants bearing bearing receipt nos.1957800, 1957804, 1957803 & 1957801 lying with Oriental Bank of Commerce **(At present Punjab National Bank)**, Palanpur Branch and since the appeal preferred before the Hon'ble High Court has been dismissed, therefore looking to the smallness of the award amount, the entire amount invested in all the FDR's shall be paid to the concerned applicants after due verification.
- Necessary yadi be sent to the concerned bank.

Pronounced on today on this 17th Day of March, 2026.

Date: 17/03/2026
Place: Palanpur.

(Amitkumar J. Kanani)
Chairman
M.A.C.T. (Aux.),
B.K.District @ Palanpur
(Code No.GJ0662)