

GJBK010012782026



**ORDER BELOW EXH.1**  
**IN MACMA NO.384/2026**

1. The present applicant has filed this application to withdraw the amount of fixed deposit lying with Bank prematurely.
2. It is submitted by the learned advocate Shri B. P. Padhiyar that the applicant had filed M.A.C.P. No.23/2019, which was decided and Rs.8,43,622/- have been deposited in the name of applicant with Bank as fixed deposit for five years. It is submitted that the applicant is doing labour work for the livelihood. He is living in kutchha house which is in dilapidated conditions and requires renovation and if not renovated on time, it will likely to collapse. He does not have any savings with him except the fixed deposit amount lying with the bank. Therefore, he is intending to withdraw the fixed deposit amount instead of maturity lying with the bank. In support of his submission, he has produced documentary evidence vide mark-4/1 to 4/5 respectively.
3. Heard, learned Advocates for the parties and perused the documentary evidence produced vide mark-4/1 to 4/5 respectively.
4. Looking at the record, it reveals from record that the

applicant has filed MACP No.23/2019 on account of accidental injury caused to him. The same was decided by the Tribunal. Out of the award, an amount of Rs.8,43,622/- was directed to be invested in FDR for a period of five years, in the name of applicant. Looking at the record of the application, it reveals that the applicant is doing labour work for the livelihood. It is also relevant to observe here that though the applicant has claimed his house is in dilapidated conditions, however, there is no evidence which shows that the applicant's house is in dilapidated conditions. Further, the documents like bill of light connection and gas connection available on record show that the house is in the ownership of applicant's mother-Dharmistaben. Even if, we peruse the papers of light bills and gas connection, which in the name of the applicant's mother, the same do not depicts anything regarding the condition of the house of the applicant. In such circumstances, it is difficult to presume that the applicant's house is in dilapidated condition and requires repairing or renovation. Hence, the applicant has failed to prove the claim made in the application. But the fact remains that the applicant is doing labour work for the livelihood, he may be facing financial difficulties. The appeal pending before the Hon'ble High Court has been preferred by the applicant for enhancement of the compensation amount. Hence, it would not affect the amount lying in the FDR. Thus, in view of facts and circumstances of the case, I am of the opinion that an amount of Rs.2,50,000/- alongwith interest accrued thereon out of the fixed deposit instead of maturity amount is required to be paid to the applicant and remaining amount is to be re-fixed in the F.D.R. in the name of applicant and accordingly, I pass the following order:-

**ORDER**

The present application is hereby partly allowed.

An amount of Rs.2,50,000/- from the FDR of applicant-  
Thakor Rajeshkumar Mafaji lying with the Punjab National  
Bank, Palanpur Branch alongwith interest accrued thereon  
instead of maturity amount is ordered to be paid to the applicant  
after due verification, and remaining amount is ordered to be re-  
fixed in the F.D.R. in the name of applicant.

Necessary Yadi be sent to the concerned bank.

Pronounced on today on this 27th Day of July, 2026.

Date :27/07/2026

Place: Palanpur.

**(D.S.Shrivastava)**

Chairman

M.A.C.T. (Auxi.),

B.K. District @ Palanpur

**Code-GJ00819**

....