



**IN THE MOTOR ACCIDENT CLAIMS TRIBUNAL
(AUXI.) & 3rd ADDITIONAL DISTRICT COURT, B.K.
DISTRICT @ PALANPUR**

Order Below Exh.1 in M.A.C.P.Misc.Appli.No.652/2026

1. The present application has been preferred by applicants for releasing the award amount which was passed in MACP No.450/2009 dtd.27/12/2016 and is lying in FDR in the name of Nazir, District Court.

2. Looking to the endorsement made by the Registry, opponent insurance company has deposited an amount of Rs.25,000/- and Rs.2,24,122/- as per verification report of Nazir bearing 'C' No.237/2017-18 dtd.12/06/2017 and 'C' No.766/2017-18 dtd.08/11/2017 is lying in FDR in the name of Nazir, District Court. It further appears that opponent insurance company has preferred R/First Appeal No.3184/2017 before the Hon'ble High Court of Gujarat

wherein the Ld. Advocate for the opponent has made endorsement at Exh.1 to pass necessary order as per the direction of the Hon'ble High Court.

3. Further looking to the R/First Appeal No.3184/2017, the Hon'ble High Court of Gujarat has passed order order dtd.08/01/2026 which is as under:-

*"What could be noticed that the insurance company restricted the claim in appeal to **Rs.1,38,250/-**. 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 of Gujarat in the above First Appeal, said First Appeal has been dismissed by the Hon'ble High Court of Gujarat due to the smallness of the award amount and so as

per the order of the Hon'ble High Court the following order is passed :-

ORDER

1. The present M.A.C. Misc. Application is allowed.
2. Nazir, District Court is hereby directed to first of all disburse the FDR of Rs.25,000/- & Rs.2,24,122/- which is lying in his name along with interest accrued and after disbursement of the same as per the order of the Hon'ble High Court of Gujarat in R/First Appeal No.3184/2017 dtd.07/10/2024, since the appeal has been dismissed by the Hon'ble High Court of Gujarat, therefore payment shall be made to the applicants as per decree drawn.
3. As per the decree drawn the award amount was distributed in the ratio of 50-50% amongst Applicant Nos.1 & 2, but Applicant No.2 has died and Applicant Nos.2/1 to 2/3 are joined as legal heirs and so the 50% share which falls on the part of deceased Applicant No.2 shall be distributed equally amongst

the legal heirs, i.e. Applicant Nos.2/1 to 2/3 in the ratio of 20% to Applicant No.2/1 and 15% each amongst Applicant Nos.2/2 & 2/3.

3. Payment be made through either mode A/c. Payee Cheque/NEFT/RTGS after proper verification.

Pronounced today on **25th day of June, 2026.**

Date : 25/06/2026
Place: Palanpur.

(Amitkumar J. Kanani)
Chairman
M.A.C.T. (Auxl.),
B.K. District @ Palanpur
(Code-GJ00662)

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