

MAC Miscellaneous Application No.86/2026**Order below Ex.1 :**

01. The petitioners have submitted that they are original claimants in the MACP No.15 of 2015 and they have preferred claim petition against the opponents and the same was decided in favour of claimants by the M.A.C. Tribunal (Main), Bhavnagar.

02. Being aggrieved and dissatisfied with the said judgment and award, Insurance Company had preferred Civil Application (For Stay) No.1 of 2019 In R/First Appeal No.3183 of 2019, before the Hon'ble High Court of Gujarat, in which the Hon'ble High Court of Gujarat had passed the following order on dated 09.09.2019 :

".....7. The impugned judgment and award passed by the Tribunal in MACP No.15 of 2015 is stayed during pendency of the accompanying first appeal. The application is allowed."

03. Thereafter, in R/First Appeal No.3183 of 2019, preferred before the Hon'ble High Court of Gujarat, in which the Hon'ble High Court of Gujarat had passed the following order on dated 06.02.2026 :

".....3. It is made clear that present first appeal is dismissed on account of smallness of the amount and the order passed by this Court shall not be treated as precedent so as to say that this Court has decided any issue on merit. The whole purpose to dismiss the appeal on account of smallness of

amount is with a view to avoid hardship both physically and financially on the part of the original claimant/s to appear and defend the case.

5. If any amount of compensation, or any statutory amount, lying deposited with the Registry of this Court shall be transmitted to the learned Tribunal concerned.

6. Records and Proceedings if any, to be sent back to the concerned Court immediately. The entire award amount be disbursed and released in favour of claimant/s after due verification by transferring said amount to the accounts of claimant/s by RTGS or NEFT."

04. It is submitted that **as per report of the Nazir, District Court, Bhavnagar, the amount of Rs.4,02,472/-** is lying with the Nazir, District Court, Bhavnagar.
05. It is further submitted that the other side have also made endorsement as "**No Objection**" if the present application is granted and the compensation amount be paid to the applicants as per the order of the Hon'ble High Court of Gujarat.
06. Looking to the facts and documents available on record, it clearly transpires that Insurance Company has preferred R/First Appeal No.3183 of 2019, before the Hon'ble High Court of Gujarat, which has been dismissed by the Hon'ble High Court on 06.02.2026. In support of application, the applicants have produced copies of judgment of MACP No.15/2015, order of Hon'ble Gujarat High Court passed in Civil

Application (For Stay) No.1 of 2019 In R/First Appeal No.3183 of 2019 dated 09.09.2019, order of Hon'ble Gujarat High Court passed in R/First Appeal No.3183 of 2019 dated 06.02.2026, Payment order of MACP No.15/2015, Yadi to Bank in MACP No.15/2015, Bank Receipt No.TDR 052129, joint bank passbook of applicants, adhar card of applicant No.1, adhar card of applicant No.2 etc. at mark 3/1 to 3/9. All these documents corroborate the say of the petitioners herein. Therefore, the petitioners are entitled to receive the compensation amount. Hence, I pass following final order :-

FINAL ORDER

The present application is hereby allowed.

The **Nazir, District Court, Bhavnagar**, is hereby ordered to disburse and release the entire amount of **Rs.4,02,472/-** along with interest accrued thereon, if any in favour of the petitioners by way of Account Payee Cheque, after due verification.

Yadi be sent to the Nazir, District Court, Bhavnagar.

Necessary Payment Order be made accordingly.

Pronounced in Open Court today, i.e. on this **17th Day of March, 2026.**

B H A V N A G A R. **(JIGNESH GIRISHBHAI DAMODRA)**

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

Bhavnagar.

DATE : 17/03/2026

UNIQUE ID CODE NO.**GJ00996**